

2024003303 EASE \$25.00
10/11/2024 08:39:06A 4 PGS
Mary Dorsett Kilgore
Jennings County Recorder IN
Recorded as Presented



PERPETUAL TRAIL EASEMENT and RIGHT OF WAY

THIS INDENTURE WITNESSETH, That NICOLAS LEE MASCHINO, 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 Eight Thousand Five Hundred Dollars (\$ 8,500.00) (of which said sum \$ 1,300.00 represents land encumbered and improvements acquired and \$ 7,200.00 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 he 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 he 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.

FILED

OCT 11 2024

By: *King Shepherd*

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

OCT 11 2024

Mark J. Abel
AUDITOR JENNINGS COUNTY

IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument

this 3 day of October, 2024

Nicolas Lee Maschino (Seal)

Signature

NICOLAS LEE MASCHINO

Printed Name

Signature

Printed Name

Signature (Seal)

Printed Name

Signature (Seal)

Printed Name

STATE OF: Indiana:

COUNTY OF Jefferson:

SS:

Before me, a Notary Public in and for said State and County, personally appeared

Nicolas Lee Maschino

the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be his voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 3 day of October, 2024.

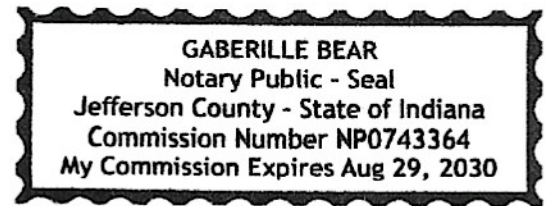
Signature Gaberille Bear

Printed Name Gaberille Bear

My Commission Number NP0743364

My Commission expires Aug 29, 2030

I am a resident of Jefferson County.



SEAL

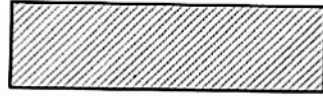
Prepared by Bradley Kage, Attorney, PO Box 328, 624 S State St, North Vernon, IN 47265

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: 8
 Project: Vernon Trail
 Road: n/a
 County: JENNINGS
 Section: 3
 Township: 6N
 Range: 8E

Owner: Maschino, Nicolas Lee
 Instrument Number: 2004000123
 Tax Bill ID: 40-12-03-440-018.000-013
 Dated: January 7, 2004

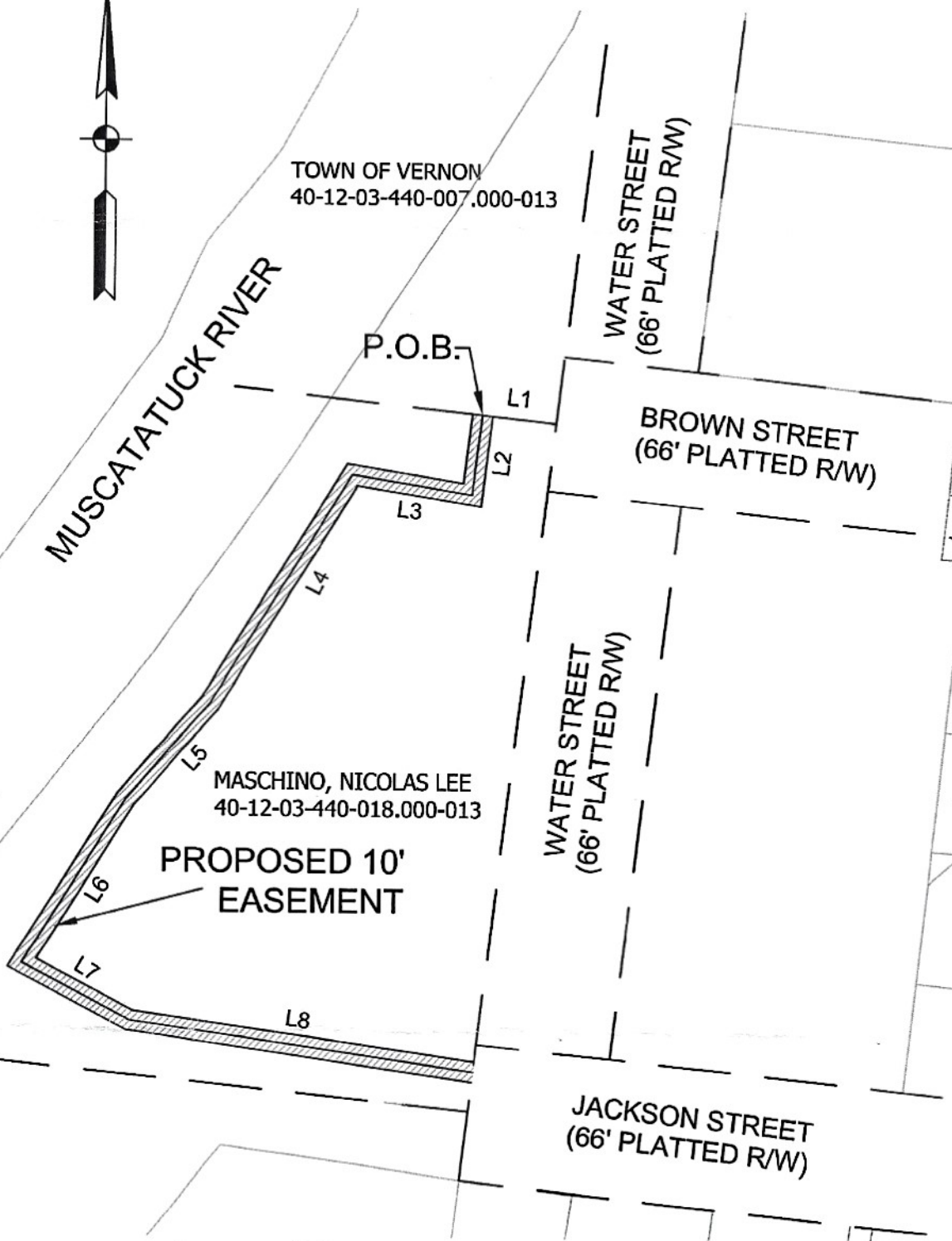
Drawn By: CRE
 Checked By: ARC
 Scale: 1" = 100'



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	N 83°57'48" W	36.50ft
L2	S 06°54'50" W	39.31ft
L3	N 80°48'30" W	59.65ft
L4	S 31°15'36" W	132.96ft
L5	S 41°08'38" E	62.88ft
L6	S 31°59'36" E	95.46ft
L7	S 61°57'52" E	59.93ft
L8	S 81°54'41" E	170.88ft



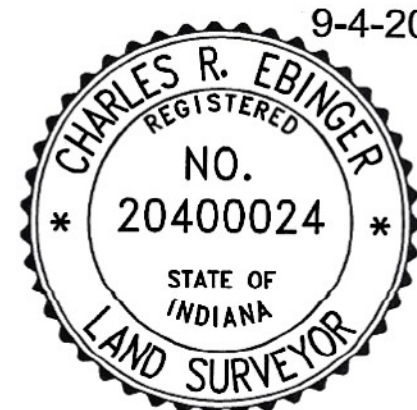
Prepared By:

File Number: 23-12939
 Date: SEPTEMBER 4, 2024
 Sheet: 1 of 2

 **FPBH, Inc.**
 Engineers • Surveyors • Planners • Inspectors

72 Henry Street, PO Box 47, North Vernon, Indiana 47265
 P: (812) 346-2045 F: (812) 346-8045
 Toll Free: 1-866-ENG-FPBH

www.fpbhonline.com



9-4-2024

EXHIBIT "A"

PARCEL NO. 8 EASEMENT

Page 2 of 2

TAX ID: 40-12-03-440-018.000-013

OWNER: MASCHINO, NICOLAS LEE - Instrument Number 2004000123

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 a point where the center of Brown Street right of way intersects the West right of way line of Water Street in the Town of Vernon, Indiana; thence North 83 degrees 57 minutes 48 seconds West 36.50 feet along the North line of the 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 seven (7) calls along the center of the trail as constructed, improved and maintained; 1) South 06 degrees 54 minutes 50 seconds West 39.31 feet; 2) North 80 degrees 48 minutes 30 seconds West 59.65 feet; 3) South 31 degrees 15 minutes 36 seconds West 132.96 feet; 4) South 41 degrees 08 minutes 38 seconds West 62.88 feet; 5) South 31 degrees 59 minutes 36 seconds West 95.46 feet; 6) South 61 degrees 57 minutes 52 seconds East 59.93 feet; 7) South 81 degrees 54 minutes 41 seconds East 170.88 feet to the West line of Water Street and Jackson Street 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 4th day of September, 2024.

9/4/2024

Charles R. Ebinger

