

Cover page for:

**Deed recorded on January 23, 2007
containing reference to easement to
spread animal waste**

(Auction Tracts 1 & 2)

Note: Following this cover page is a copy of the Warranty Deed recorded on January 23, 2007 as Instrument 200700000444 which is described in the preliminary title insurance schedules as Exception #18. This deed contains a reference to an easement and right of way to deposit and spread animal waste on Auction Tracts 1 and 2 for a term of 20 years. The beginning and end of the 20-year term is not clear from the 2007 deed. In any event, Tracts 1 and 2 will be conveyed and acquired subject to whatever rights, *if any*, currently exist with respect to such easement.

For October 30, 2020 auction to be conducted by:

Schrader Real Estate and Auction Company, Inc.

On behalf of:

Midwest Farms, LLC

20070000444
Filed for Record in
CASS COUNTY, INDIANA
KATHY ADAIR
01-23-2007 At 03:01 PM.
DEED 22.00
Instrument PG 1 OF 4
20070000444

WARRANTY DEED

THIS INDENTURE WITNESSETH, That **Michael T. Schuler** ("Grantor"), CONVEYS and WARRANTS to **Midwest Farms, LLC**, a Washington limited liability company ("Grantee"), for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, certain real estate located in Cass County, Indiana, as more specifically described as follows:

See Exhibit A attached hereto.

(the "Real Estate").

This conveyance is subject to (i) all legal highways, rights-of-way, agreements, easements, covenants, conditions, encumbrances and restrictions of record; (ii) real estate taxes and assessments not yet due and payable; and (iii) any set of facts which would be disclosed by an accurate survey.

IN WITNESS WHEREOF, Grantor has caused this Warranty Deed to be executed this 4th day of January, 2007.

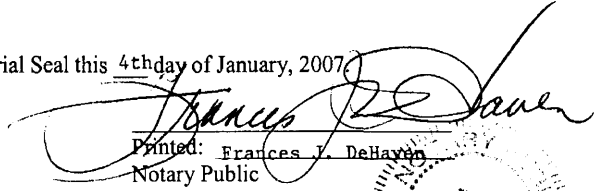
Michael T. Schuler
Michael T. Schuler

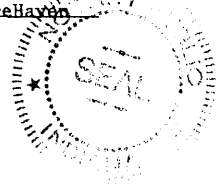
DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER
January 23 2007
Nancy Conner
AUDITOR CASS COUNTY

STATE OF INDIANA)
) SS:
COUNTY OF CASS)

Before me, a Notary Public in and for the State of Indiana, personally appeared Michael T. Schuler, who acknowledged the execution of the foregoing Warranty Deed as his free and voluntary act and deed.

WITNESS my hand and Notarial Seal this 4th day of January, 2007.


Printed: Frances L. DeHayes
Notary Public



My Commission Expires:
August 15, 2008

My County of Residence:
Cass

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. Gary L. Chapman

This instrument was prepared by: Gary L. Chapman, Attorney at Law, Bose McKinney & Evans, LLP, 135 N. Pennsylvania Street, Suite 2700, Indianapolis, Indiana 46204

Send tax bills to: Midwest Farms, LLC c/o F. Howard Halderman, P.O. Box 297, Wabash, IN 46922

832728

The South 1/2 of Section 8, Township 28 North, Range 1 West, Boone Township, Cass County, Indiana, containing 320 acres more or less.

ALSO

All that part of Section 17, Township 28 North, Range 1 West, lying North of the Middle of Little Indiana Creek, Boone Township, Cass County, Indiana, containing 97 acres, more or less.

EXCEPTING THEREFROM

A fractional part of the South 1/2 of Section 8, township 28 North, Range 1 West and also all that part of Section 17, Township 28 North, Range 1 West, lying North of the Middle of Little Indian Creek, Boone Township, Cass County, Indiana, more fully described as follows, to-wit:

Commencing at a R.R. Spike found marking the Southeast Corner of Section 8, said spike also marking the Northeast Corner of Section 17 said spike lying in the intersection of County Roads 800 North and 900 West; thence North 62 degrees 31 minutes 38 seconds West 1453.40 feet; thence North 90 degrees 00 minutes 00 seconds West, 501.40 feet to the Place of Beginning; thence North 90 degrees 00 minutes 00 seconds West, 448.60 feet; thence South 00 degrees 00 minutes 00 seconds West, 1457.85 feet to the middle of Little Indian Creek; thence North 89 degrees 44 minutes 52 seconds East, 448.60 feet along said middle of said Creek; thence North 00 degrees 00 minutes 00 seconds East, 1455.88 feet to the Place of Beginning, containing 15.003 acres, more or less (8.098 acres in Section 17 and 6.905 acres in Section 8).

Together with a 30 foot wide easement for ingress and egress, said easement lying 15 feet on each side of the following described centerline:

Commencing at a R.R. Spike found marking the Southeast Corner of Section 8, said spike also marking the Northeast Corner of Section 17, said spike lying in the intersection of County Roads 800 North and 900 West; thence South 00 degrees 04 minutes 04 seconds East 16.92 feet to the centerline of said Easement, being the Place of Beginning; thence North 62 degrees 31 minutes 38 seconds West, 1457.55 feet along said centerline of said Easement; thence North 90 degrees 00 minutes 00 seconds West, 497.73 feet along said centerline of said Easement the termination of said easement. Which said real estate is described as "TRACT NUMBERED TWO (2)" in the Plat of Land Title Survey prepared by Thomas L. Newport, Registered Land Surveyor, Indiana Registration No. S0123, dated June 4, 1992, a copy of which said Survey is recorded in the Office of the Recorder of Cass County, Indiana on October 29, 1992 in Record Number 131, Page 182.

Also an easement and right of way to deposit and spread animal waste produced by Grantee's hog raising facilities to be constructed upon real property acquired from Grantor's for a term of 20 years upon, over and across the following described real estate located in Cass County, Indiana:

The South 1/2 of Section 8, Township 28 North, Range 1 West, and all that part of Section 17, Township 28 North, Range 1 West, lying North of the Middle of Little Indian Creek, excepting therefrom said real property hereby conveyed.

ALSO EXCEPTING THEREFROM

A fractional part of the South 1/2 of Section 8, Township 28 North, Range 1 West, and also that part of Section 17, Township 28 North, Range 1 West, lying North of the middle of Little Indiana Creek, Boone Township, Cass County, Indiana, more fully described as follows, to-wit:

Beginning at a R.R. Spike found marking the Southeast corner of Section 8, said spike also marking the Northeast Corner of Section, said spike lying in the intersection of County Road 800 North and 900 West; thence South 00 degrees 04 minutes 04 seconds East 777.50 feet along the East line of Section 17 and along said County Road 900 West to the middle of Little Indian Creek; thence South 89 degrees 44 minutes 52 seconds West, 1791.84 feet along said middle of said Creek; thence North 00 degrees 00 minutes 00 seconds East, 1455.88 feet; thence South 90 degrees 00 minutes 00 seconds East 501.40 feet; thence South 62 degrees 31 minutes 38 seconds East, 1453.40 feet to the Place of Beginning, containing 49.778 acres more or less (32.136 acres in Section 17 and 17.642 acres in Section 8).

Together with a 30 foot wide easement for ingress and egress, said easement lying 15 feet on each side of the following described centerline:

Commencing at a R.R. Spike found marking the Southeast Corner of Section 8, said spike also marking the Northeast Corner of Section 17, said spike lying in the intersection of County Roads 800 North and 900 West; thence South 00 degrees 04 minutes 04 seconds East 16.92 feet to the centerline of said Easement, being the Place of Beginning; thence North 62 degrees 31 minutes 38 seconds West, 1457.55 feet along said centerline of said Easement; thence North 90 degrees 00 minutes 00 seconds West, 497.73 feet along said centerline of said Easement the termination of said easement which said real estate is described as "TRACT NUMBERED ONE(1)" in the Plat of Land Title Survey prepared by Thomas L. Newport, Registered Land Surveyor, Indiana Registration No. S0123, dated June 4, 1992, a copy of which said Survey is recorded in the Office of the Recorder of Cass County, Indiana, on October 29, 1992 in Record Number 131, Page 182.

Also an easement and right of way to deposit and spread animal waste produced by Grantee's hog raising facilities to be constructed upon real property acquired from Grantor's for a term of 20 years upon, over and across the following described real estate located in Cass County, Indiana:

The South 1/2 of Section 8, Township 28 North, Range 1 West, and all that part of Section 17, Township 28 North, Range 1 West, lying North of the middle of Little Indian Creek, excepting therefrom said real property hereby conveyed.