

Milton, Indiana • Wayne County, Washington Township

# LAND AUCTION

Between Connersville & Cambridge City

**200<sup>±</sup>**  
acres  
Offered in 3 Tracts

- Quality Tillable Land, 154± FSA Crop Acres
- 2021 Crop Rights to the Buyer
- Potential Building Site w/ River Access
- 5 Miles SE of Cambridge City & 5 Miles NE of Connersville
- Scenic Greens Fork River Frontage Lined w/ Mature Trees



TIMED ONLINE ONLY

VIRTUAL

LIVE WITH ONLINE

800.451.2709 • [SchraderAuction.com](http://SchraderAuction.com)

# INFORMATION Booklet



**TUESDAY, FEBRUARY 16 • 11:00am**

held at Golay Community Center  
1007 E Main St (US 40), Cambridge City



# DISCLAIMER

All information contained is believed to be accurate and from accurate resources. However, buyers are encouraged to do their own due diligence. Schrader Auction Company assumes no liability for the information provided.

**AUCTION  
MANAGER**

Andy Walther • 765-969-0401 • [andy@schraderauction.com](mailto:andy@schraderauction.com)  
Steve Slonaker • 765-969-1697 • [steve@schraderauction.com](mailto:steve@schraderauction.com)



950 N. Liberty Dr., Columbia City, IN 46725  
800.451.2709 | 260.244.7606 | [www.schraderauction.com](http://www.schraderauction.com)

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# **BIDDER PRE-REGISTRATION FORM**

**WEDNESDAY, FEBRUARY 16, 2021**

**200 ACRES – MILTON, INDIANA**

For pre-registration, this form must be received at Schrader Real Estate and Auction Company, Inc.,  
P.O. Box 508, Columbia City, IN, 46725,  
Email to [auctions@schraderauction.com](mailto:auctions@schraderauction.com) or fax to 260-244-4431, no later than Wednesday, February 9,  
2021.

Otherwise, registration available onsite prior to the auction.

## **BIDDER INFORMATION**

(FOR OFFICE USE ONLY)

Bidder # \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Telephone: (Res) \_\_\_\_\_ (Office) \_\_\_\_\_

My Interest is in Tract or Tracts # \_\_\_\_\_

## **BANKING INFORMATION**

Check to be drawn on: (Bank Name) \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Contact: \_\_\_\_\_ Phone No: \_\_\_\_\_

## **HOW DID YOU HEAR ABOUT THIS AUCTION?**

Brochure  Newspaper  Signs  Internet  Radio  TV  Friend

Other \_\_\_\_\_

## **WOULD YOU LIKE TO BE NOTIFIED OF FUTURE AUCTIONS?**

Regular Mail  E-Mail E-Mail address: \_\_\_\_\_

Tillable  Pasture  Ranch  Timber  Recreational  Building Sites

What states are you interested in? \_\_\_\_\_

*Note: If you will be bidding for a partnership, corporation or other entity, you must bring documentation with you to the auction which authorizes you to bid and sign a Purchase Agreement on behalf of that entity.*

I hereby agree to comply with terms of this sale including, but not limited to, paying all applicable buyer's premiums, and signing and performing in accordance with the contract if I am the successful bidder. Schrader Real Estate and Auction Company, Inc. represents the Seller in this transaction.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_





**Online Auction Bidder Registration**  
**200± Acres • Wayne County, Indiana**  
**Tuesday, February 16, 2021**

This form and deposit are only required if you cannot attend the auction and wish to bid remotely through our online bidding system.

This registration form is for the auction listed above only. The person signing this form is personally responsible for any bids placed on the auction site, whether bidding on behalf of their personal account or on behalf of a corporation or other third party. If you are bidding on behalf of a third party, you are responsible for obtaining the necessary documentation authorizing you to bid on behalf of the third party. Schrader Real Estate and Auction Co., Inc. will look to the herein registered bidder for performance on any bid placed on this auction if you are the successful high bidder.

As the registered bidder, I hereby agree to the following statements:

1. My name and physical address is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My phone number is: \_\_\_\_\_

2. I have received the Real Estate Bidder's Package for the auction being held on Tuesday, February 16, 2021 at 11:00 AM.
3. I have read the information contained in the Real Estate Bidder's Package as mailed to me or by reading the documents on the website ([www.schraderauction.com](http://www.schraderauction.com)) and understand what I have read.
4. I hereby agree to comply with all terms of this sale, including paying all applicable buyer's premiums, and signing and performing in accordance with the Real Estate Purchase Agreement if I am the successful bidder.
5. I understand that Schrader Real Estate and Auction Co., Inc. represent the Seller in this transaction.
6. I am placing a deposit with Schrader Real Estate and Auction Co., Inc. Escrow in the amount of \$\_\_\_\_\_. I understand that the maximum bid or combination of bids I place may not exceed an amount equal to ten times the amount of my deposit. My deposit is being conveyed herewith in the form of a cashier's check payable to Schrader Real Estate and Auction, Co., Inc. Escrow or via wire transfer to the escrow account of Schrader Real Estate and Auction, Co., Inc. per the instructions below. I understand that my deposit money will be returned in full via wire transfer on the next business day if I am not the successful high bidder on any tract or combination of tracts.

Schrader Real Estate & Auction Company, Inc.  
950 North Liberty Drive / P.O. Box 508, Columbia City, IN 46725  
Phone 260-244-7606; Fax 260-244-4431

For wire instructions please call 1-800-451-2709.

7. My bank routing number is \_\_\_\_\_ and bank account number is \_\_\_\_\_.  
(This for return of your deposit money). My bank name, address and phone number is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. **TECHNOLOGY DISCLAIMER:** Schrader Real Estate and Auction Co., Inc., its affiliates, partners and vendors, make no warranty or guarantee that the online bidding system will function as designed on the day of sale. Technical problems can and sometimes do occur. If a technical problem occurs and you are not able to place your bid during the live auction, Schrader Real Estate and Auction Co., Inc., its affiliates, partners and vendors will not be held liable or responsible for any claim of loss, whether actual or potential, as a result of the technical failure. I acknowledge that I am accepting this offer to place bids during a live outcry auction over the Internet *in lieu of actually attending the auction* as a personal convenience to me.

9. This document and your deposit money must be received in the office of Schrader Real Estate & Auction Co., Inc. by **4:00 PM, Tuesday, February 9, 2021**. Send your deposit and return this form via fax to: **260-244-4431**.

I understand and agree to the above statements.

\_\_\_\_\_  
Registered Bidder's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

***This document must be completed in full.***

**Upon receipt of this completed form and your deposit money, you will be sent a bidder number and password via e-mail. Please confirm your e-mail address below:**

E-mail address of registered bidder: \_\_\_\_\_

Thank you for your cooperation. We hope your online bidding experience is satisfying and convenient. If you have any comments or suggestions, please send them to:  
kevin@schraderauction.com or call Kevin Jordan at 260-244-7606.



# LOCATION MAP

# LOCATION MAP



**PROPERTY LOCATION:** 3299 Pennville Rd. MILTON, IN 47357. Access off of Pennville Rd is via an established easement which is also a shared lane. Continue back lane past the first house to the Auction property. Additional frontage on Kirlin Rd and Hiser Station Rd. **NOTE:** *Buildings not included in the auction.*

**AUCTION SITE:** Goley Community Center, 1007 E Main St (US 40), Cambridge City, IN 47327  **Online Bidding Available**

# TRACT MAP

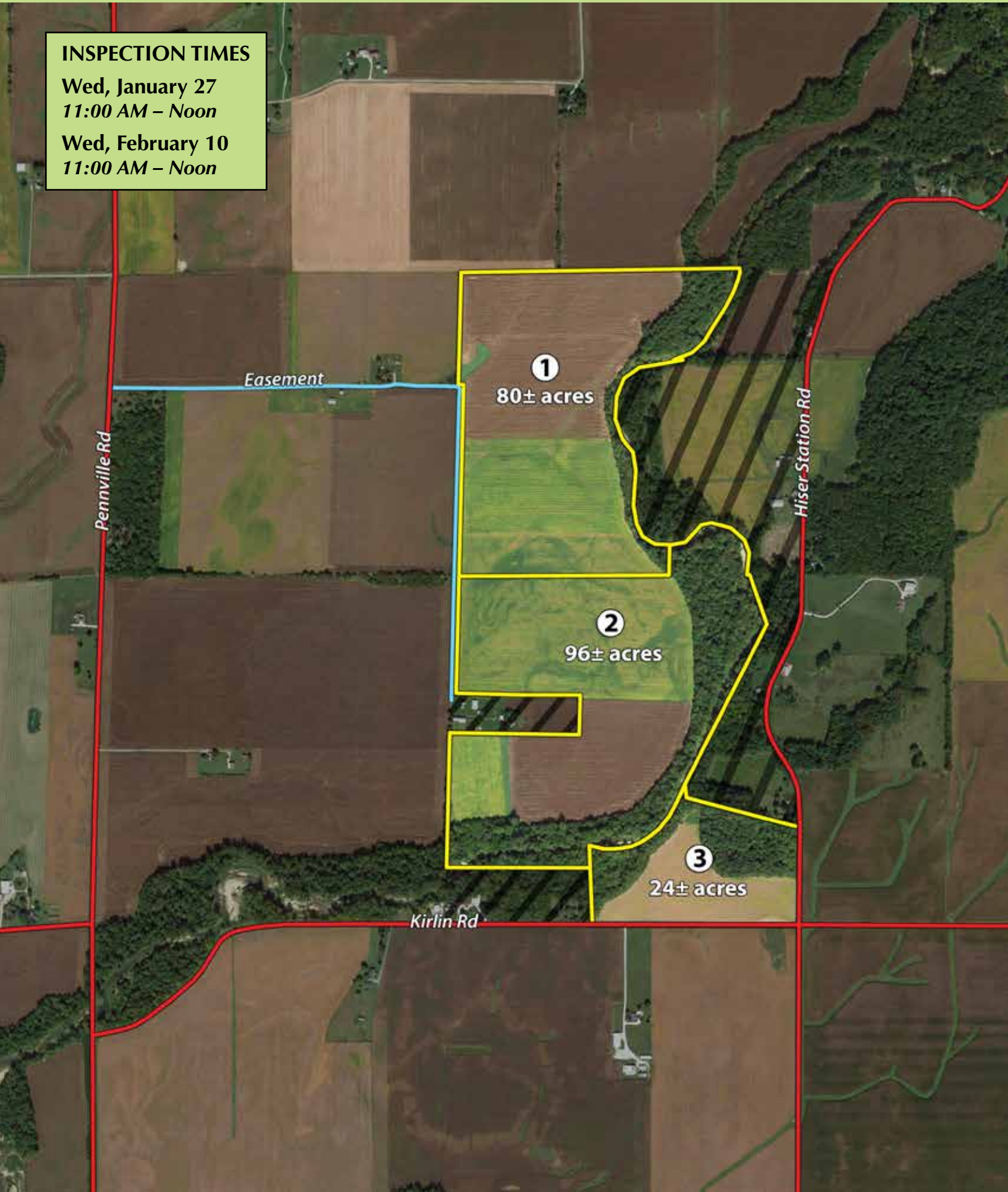


# TRACT MAP

## INSPECTION TIMES

Wed, January 27  
11:00 AM – Noon

Wed, February 10  
11:00 AM – Noon



Easement

Pennville Rd

①  
80± acres

②  
96± acres

③  
24± acres

Hiser Station Rd

Kirlin Rd

# TRACT DESCRIPTIONS



Milton, Indiana • Wayne County, Washington Township

# LAND AUCTION

Between Connersville & Cambridge City

**200<sup>±</sup>**  
acres  
Offered in 3 Tracts

Wayne County, Washington Township, Section 5

**TRACT 1: 80± acres** with 73± FSA tillable acres. Productive tillable tract farmed as 1 field. Good mix of Ockley and Eldean Soils. This tract has Greens Fork River access. Established easement access off of Pennville Rd. **NOTE: Residential building only allowed with approved variance.**

**TRACT 2: 96± acres** with 66± FSA tillable acres. This could be an excellent secluded hunting tract with great income potential. Lots of Greens Fork River Frontage. Established easement access off of Pennville Rd. **Note: Residential building only allowed with approved variance.**

**TRACT 3: 24± acres** with 15± FSA tillable acres. Great combination tract with a mix of open land and wooded terrain. Perfect for the hunter or outdoorsman. Make your food plot here or investigate as a potential building site. This tract has access to Greens Fork River. Abundant frontage on Hiser Station Rd and Kirlin Rd. Tracts of this size are getting hard to find.

**OWNER:** Sandy M. & Mary Ellen Richards (1/2) and Delores M. Richards (1/2)



## AUCTION TERMS & PROCEDURES

**PROCEDURES:** The property will be offered in 3 individual tracts, any combination of tracts, or as the total 200± acre unit. There will be open bidding on all tracts and combinations during the auction as determined by the Auctioneer.

**DOWN PAYMENT:** Real Estate 10% down payment on the day of the auction with the balance in cash at closing. The down payment may be made in the form of cash, cashier's check, personal check or corporate check. Your bidding is not conditional upon financing, so be sure you have arranged financing, if needed and are capable of paying cash at closing.

**ACCEPTANCE OF BID PRICES:** Successful bidder(s) will be required to enter into a purchase agreement at the auction site immediately following the close of the auction. All final bid prices are subject to the Seller's acceptance or rejection.

**EVIDENCE OF TITLE:** Seller's shall provide an owners title insurance policy in the amount of the purchase price

**DEED:** Seller(s) shall provide a Warranty Deed.

**CLOSING:** The balance of the real estate purchase price is due at closing, which will take place on or before **March 18, 2021.**

**POSSESSION:** Possession will be delivered at closing. Buyer to receive **2021 CROP RIGHTS!**

**REAL ESTATE TAXES / ASSESSMENTS:** Seller to pay taxes for the 2020 period due and payable in 2021 by giving the buyer(s) a credit at closing.

**ACREAGE:** All boundaries are approximate and have been estimated based on current legal descriptions.

**SURVEY:** Survey(s) will be done where new boundaries are created by the tract divisions in this auction. Buyer(s) and Seller will share survey expense 50:50. Combination purchases will receive a perimeter survey only. Closing prices will be adjusted to reflect any differences between advertised and surveyed acreages.

**EASEMENTS:** Sale of the property is subject to any and all easements of record. Access to Tracts 1 & 2 are via established easement off of Pennville Rd. This same easement will service the house and buildings that are part of this property and NOT included in the auction.

**MINERAL RIGHTS:** The sale shall include 100% of the mineral rights owned by the Seller.

**AGENCY:** Schrader Real Estate and Auction Company, Inc. and its representatives are exclusive agents of the seller.

**DISCLAIMER AND ABSENCE OF WARRANTIES:** All information contained in this brochure and all related materials are subject to the Terms and Conditions outlined in the Purchase Agreement. The property is being sold on "AS IS, WHERE IS" basis, and no warranty or representation, either express or implied, concerning the property is made by the seller or the auction company. Each potential bidder is responsible for conducting his or her own independent inspections, investigations, inquiries, and due diligence concerning the property. The information contained in this brochure is subject to verification by all parties relying on it. No liability for its accuracy, errors or omissions is assumed by the Sellers or the Auction Company. Conduct of the auction and increments of bidding are at the direction and discretion of the Auctioneer. The Sellers and Selling Agents reserve the right to preclude any person from bidding if there is any question as the person's credentials, fitness, etc. All decisions of the Auctioneer are final.

ANY ANNOUNCEMENTS MADE THE DAY OF THE SALE TAKE PRECEDENCE OVER PRINTED MATERIAL OR ANY OTHER ORAL STATEMENTS MADE. AUCTION COMPANY OR OWNER NOT RESPONSIBLE FOR ACCIDENTS



# ACCESS EASEMENT

# ACCESS EASEMENT

STATE OF INDIANA )  
                  ) SS:  
COUNTY OF WAYNE )

IN THE WAYNE CIRCUIT COURT  
1976 TERM

X

BYRON L. SOWERS, et al        )  
                                  )  
          vs.                    )  
                                  )  
C. EVERETT CLEVINGER et al    )

CAUSE NO. C-75-7309-C  
PARTIAL DECREE

Comes now the Court and having had the within cause under advise-  
ment since the trial thereof and the parties having requested that  
decision be deferred pending efforts of the parties to resolve the  
controversy in this cause by agreement, and the parties now having  
informed the Court that agreement cannot be reached and that the Court  
ought to enter its decision and judgment herein, now finds as follows:

The Court finds that judgment should be entered herein with regard  
to the issues pertaining to the easement in question and the utiliza-  
tion of said easement and judgment deferred regarding issues of damages.

The Court having examined and considered the evidence introduced at  
the trial and having been duly advised in the premises now finds for  
the plaintiffs and against the defendants as to the nature of the ease-  
ment in question, which said easement the Court now finds was acquired  
by prescriptive use for purposes of a farm lane and for ingress and  
egress by defendant Clevenger and predecessors in title over plaintiffs'  
real estate to defendant's property which the said defendant utilizes  
for farming purposes; the Court further finds that said easement is no  
more extensive than that actually used for the requisite prescriptive  
period and that said easement is not more extensive as a result of a  
change in the manufacture of farm equipment wherein larger equipment  
is more generally and practically utilized; that the said farm lane was  
and is approximately ten feet in width and was utilized by farm equip-  
ment of the maximum width of fourteen feet over the prescriptive period;  
that for reasonable use and enjoyment of said easement consisting of a  
ten foot roadway which may be employed for equipment of a maximum width  
of fourteen feet, there should be no obstruction or limiting construc-

# ACCESS EASEMENT

-2-

tion closer than a maximum width of sixteen feet; that, however, the wheels of any such vehicle which is operated on said farm lane should not extend beyond the ten foot width of said roadway, and that any overhang or extension of any part of any such vehicle should not extend beyond fourteen feet, and said additional two feet is solely for the purpose of permitting reasonable operation of a vehicle along said farm lane without risk or fear of coming in contact with or striking any obstruction or construction; that farm gates meeting the above limitations may be placed at locations along said lane where there exists a reasonable need therefor; the Court finds further than said ten foot, fourteen foot and sixteen foot widths above described should extend five feet, seven feet and eight feet respectively on either side of the following described center line of said farm lane, to-wit:

*Being a part of the Northwest Quarter of Section 5, Township 15 North, Range 13 East in Washington Township, Wayne County, Indiana, and being the centerline of the existing driveway running through the Byron Sowers tract, and also, being used by the adjoiner to the east thereof, the centerline of said drive being more particularly described as follows:*

*Beginning at a point in the west line of the Northwest Quarter of said Section 5, said point being 864.08 feet south (assuming that said west line runs north and south) of a copperweld monument at the northwest corner of said Northwest Quarter, and running thence, from said beginning point, north 86 degrees and 47 minutes east, along the centerline of said drive, 2064.35 feet; thence north 78 degrees and 22 minutes east, along the said centerline, 111.46 feet; thence south 88 degrees and 02 minutes east, along said centerline, 113.81 feet; thence north 88 degrees and 24 minutes east 399.85 feet to a point on the east line of the Northwest Quarter of said Section 5, and the end of this centerline description;*

the Court finds further that defendants should be enjoined from regularly and unreasonably or unnecessarily parking their vehicles off of said above described ten foot roadway, or regularly and unreasonably or unnecessarily blocking any portion of said roadway, or operating vehicles wider than fourteen feet along said farm lane; the Court finds further that plaintiffs should be enjoined from interfering with defendant's use of said farm lane consistent with the findings herein; the Court also finds that the rights of the parties should be declared consistent with the within findings.



# ACCESS EASEMENT

-3-

It Is Therefore Hereby Ordered, Adjudged, Decreed and Declared by the Court that defendant C. Everett Clevenger and his successors and assigns have acquired an easement for use as a farm lane over real estate of the plaintiffs, their successors and assigns, to-wit:

*"The northwest fractional quarter of Section Five (5), Township Fifteen (15), Range Thirteen (13) East, described as follows, to-wit: Beginning at the northeast corner of said quarter at a stone; thence west 160 rods to the northwest corner stone; thence south on the section line 137 rods and 14 links to the southwest corner stone; thence east 160 rods to the southeast corner of said quarter section; thence north 139 rods 9 links to the corner stone at the place of beginning, containing 138.50 acres",*

to and from the defendant's real estate in Wayne County, Indiana, to-wit:

*"A part of the east half of Section 5, Township 15, Range 13 bounded as follows, to-wit: Beginning at the northwest corner of the northeast quarter of said section, running thence east 133 rods to the center of the creek at Marlatt's corner; thence southwesterly down the center of said creek to the corner of lands known as Schoop's land to the northwest corner thereof; thence south 23 degrees west 32 rods; thence south 23 degrees east 12 rods; thence south 60 degrees east 18 rods; thence south 16 degrees east 24 rods; thence south 32 degrees west 19 perches thence south 45 degrees east 17 rods to Schoop's southwest corner; thence east 6.32 rods to a corner of the Wissler land; thence in a southerly direction along the east bank of the creek 94 rods 6 links more or less to the corner between Wissler's and Dr. Swallow's land; thence south 28-1/2 degrees west 16.84 rods to said Swallow's southwest corner; thence south 83 degrees east 54.72 rods to the section line at Swallow's southeast corner; thence south 55.04 rods to the southeast corner of the section; thence west 95 rods to what is known as the Kerlin corner; thence north along the land or line of the Kerlin land 26 rods; thence west 66.48 rods to the northwest corner of the Kerlin land; thence north 273.86 rods to the place of beginning, containing 211 acres 90 rods more or less"*

and specifically the location of said easement and the terms and extent thereof in all particulars is as heretofore indicated in the findings of the Court; that the above described real estate is subject to said easement as hereinabove described.

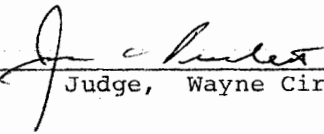
It Is Further Ordered, Adjudged and Decreed by the Court that defendants be and they are hereby restrained and enjoined from regularly and unreasonably or unnecessarily parking off of the above described ten foot roadway or otherwise regularly, unreasonably and/or unnecessarily blocking the same, or utilizing said lane except consistent with

# ACCESS EASEMENT

-4-

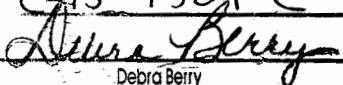
the easement and extent thereof as above determined, and plaintiffs are restrained and enjoined from interfering with use of said easement being utilized in accordance with the terms of said easement by defendant Clevenger or anyone using said easement in accordance with the terms of said easement and with the permission of said defendant Clevenger.

It Is Further Ordered that remaining issues in this cause be determined by subsequent judgment of this Court.

  
\_\_\_\_\_  
Judge, Wayne Circuit Court

Dated: May 12 1976 ✓

The document to which this certificate is attached is a true and complete copy of the original on file and of record in my office.

C-75-7309-C  
  
\_\_\_\_\_  
Debra Berry  
Wayne Circuit and Wayne Superior Courts,  
for the County of Wayne, State of Indiana

cc: Raymond Knoll  
Robert Delaney





# **PRELIMINARY SURVEY OF EXCEPTION**

# PRELIMINARY SURVEY OF EXCEPTION

S.E. & S.W. QUARTERS SECTION 5 15N RANGE 13E TOWNSHIP WASHINGTON COUNTY WAYNE INDIANA STATE

Exhibit "B"



Scale: 1" = 80'  
January 2, 2021

**~PLAT OF SURVEY~**  
**ORIGINAL BOUNDARY SURVEY**

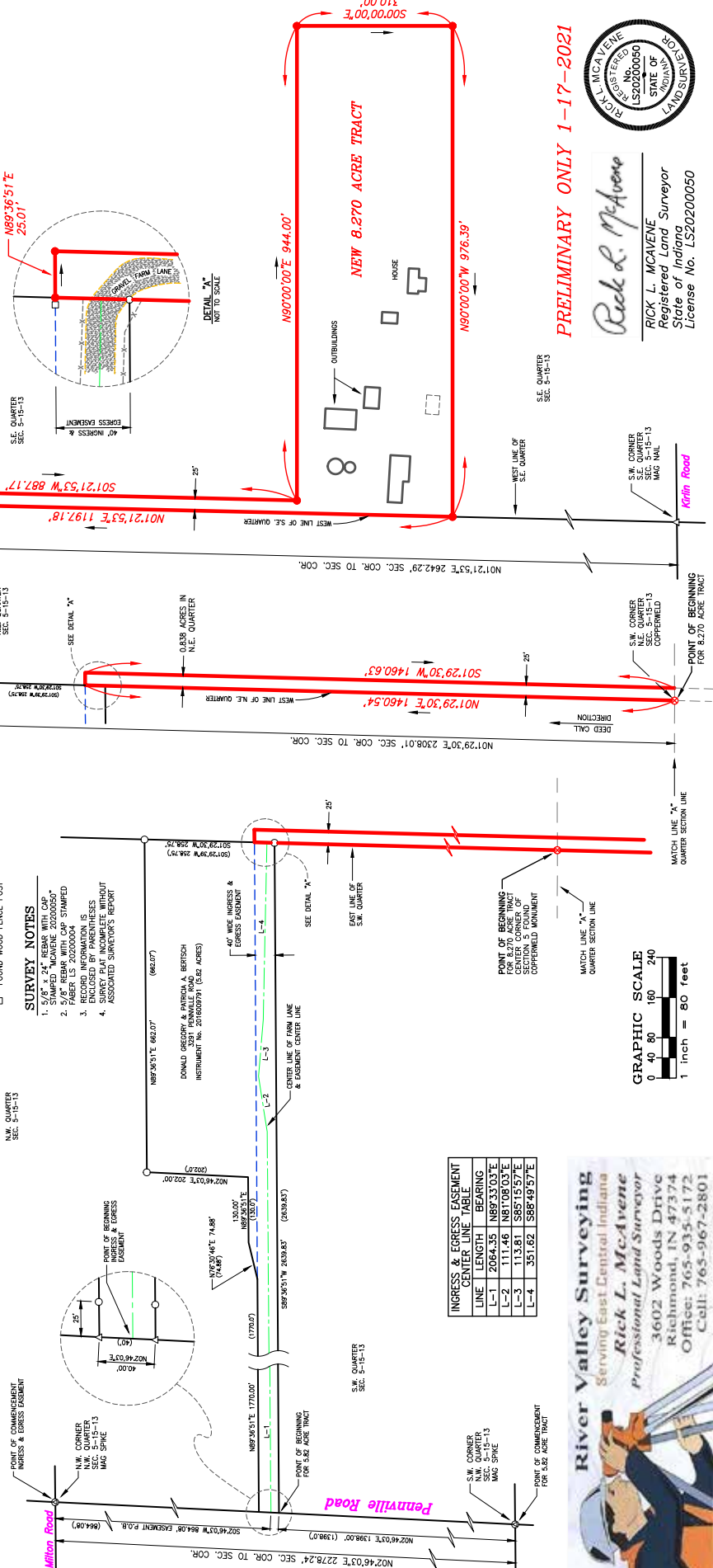
OWNER: Sandy M. Richards & Mary Ellen Richards (husband & wife)  
& Debra J. Richards  
ADDRESS: 3299 Pennville Road, Milton, Indiana 47357  
DEED TYPE: Quit Claim Deed  
RECORD DOCUMENT: Instrument Number 2020004328

**LEGEND**

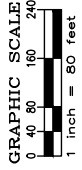
- SET REBAR/CAP (+1)
- FOUND REBAR/CAP (+2)
- △ FOUND MAG NAIL
- ⊙ FOUND MAG SPIKE
- ⊗ FOUND COPPERWELD
- ⊠ FOUND MARK STONE
- FOUND WOOD FENCE POST

**SURVEY NOTES**

1. 1/4" x 24" REBAR WITH CAP
2. 5/8" REBAR WITH CAP STAMPED
3. RECORDED INFORMATION IS ENCLOSED BY PARENTHESES
4. SURVEY PLAT INCOMPLETE WITHOUT ASSOCIATED SURVEYOR'S REPORT



INGRESS & EGRESS EASEMENT CENTER LINE TABLE	
LINE LENGTH	BEARING
L-1	206.435 N89°33'03"E
L-2	111.446 N81°08'03"E
L-3	113.81 S85°15'57"E
L-4	351.62 S88°49'57"E



PRELIMINARY ONLY 1-17-2021



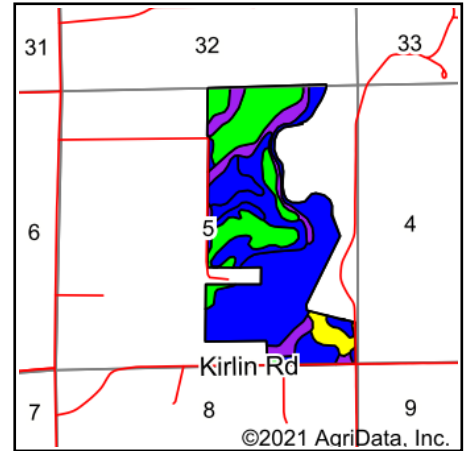
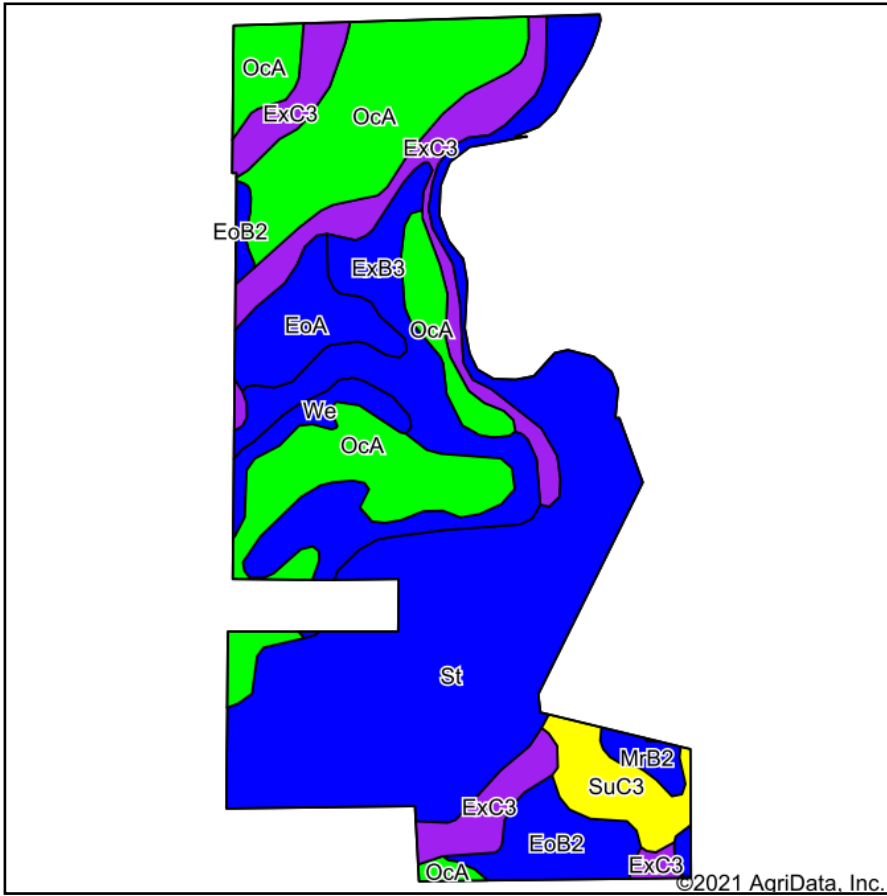
*Rick L. McAvene*  
**RICK L. MCAVENE**  
Registered Land Surveyor  
State of Indiana  
License No. LS20200050

**River Valley Surveying**  
Serving East Central Indiana  
*Rick L. McAvene*  
Professional Land Surveyor  
3602 Woods Drive  
Richmond, IN 47374  
Office: 765-935-5172  
Cell: 765-967-2801

# SOILS MAP



# SOILS MAP



State: **Indiana**  
 County: **Wayne**  
 Location: **5-15N-13E**  
 Township: **Washington**  
 Acres: **206.31**  
 Date: **1/11/2021**



Maps Provided By:  
**surety**  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2020 www.AgriDataInc.com



Soils data provided by USDA and NRCS.

Code	Soil Description	Acres	Percent of field	Non-Irr Class Legend	Non-Irr Class	Corn	Grass legume hay	Oats	Orchardgrass alfalfa hay	Pasture	Soybeans	Tall fescue	Winter wheat
St	Stonelick loam, occasionally flooded	73.14	35.5%		llw	87	3			6	31		44
OcA	Ockley silt loam, 0 to 2 percent slopes	51.53	25.0%		I	106	4			7	38		43
ExB3	Eldean clay loam, 2 to 6 percent slopes, severely eroded	24.57	11.9%		lle	82	3			6	29		42
ExC3	Eldean clay loam, 6 to 18 percent slopes, severely eroded	24.33	11.8%		Vle	73	3			5	25		37
EoA	Eldean loam, 0 to 2 percent slopes	9.27	4.5%		lls	115	4			7	37		50
EoB2	Eldean loam, 2 to 6 percent slopes, eroded	9.13	4.4%		lle	106	4			6	36		46
SuC3	Strawn clay loam, 6 to 12 percent slopes, severely eroded	7.60	3.7%		IVe	121	4			8	43		54
We	Westland silty clay loam, 0 to 2 percent slopes	4.01	1.9%		llw	174	6			12	49		69
MrB2	Miami silt loam, gravelly substratum, 2 to 6 percent slopes, eroded	2.22	1.1%		lle	126	4			9	45		63
CrA	Crosby silt loam, Southern Ohio Till Plain, 0 to 2 percent slopes	0.51	0.2%		llw	123	5	59	3	1	41	6	49
<b>Weighted Average</b>						<b>95.1</b>	<b>3.4</b>	<b>0.1</b>	<b>*-</b>	<b>6.4</b>	<b>33.3</b>	<b>*-</b>	<b>44.1</b>

Soils data provided by USDA and NRCS.

# FSA INFORMATION

# FSA INFORMATION

**USDA Farm 1476 Tract 521**

2020 Certification map prepared on: 4/21/2020

Administered by: Wayne County, Indiana

CRP

TRS: 15N13E5

CLU

Wayne Co., IN



213.53 Tract acres

157.44 Cropland acres

0 CRP acres

**Wetland Determination Identifiers:**

● Restricted Use

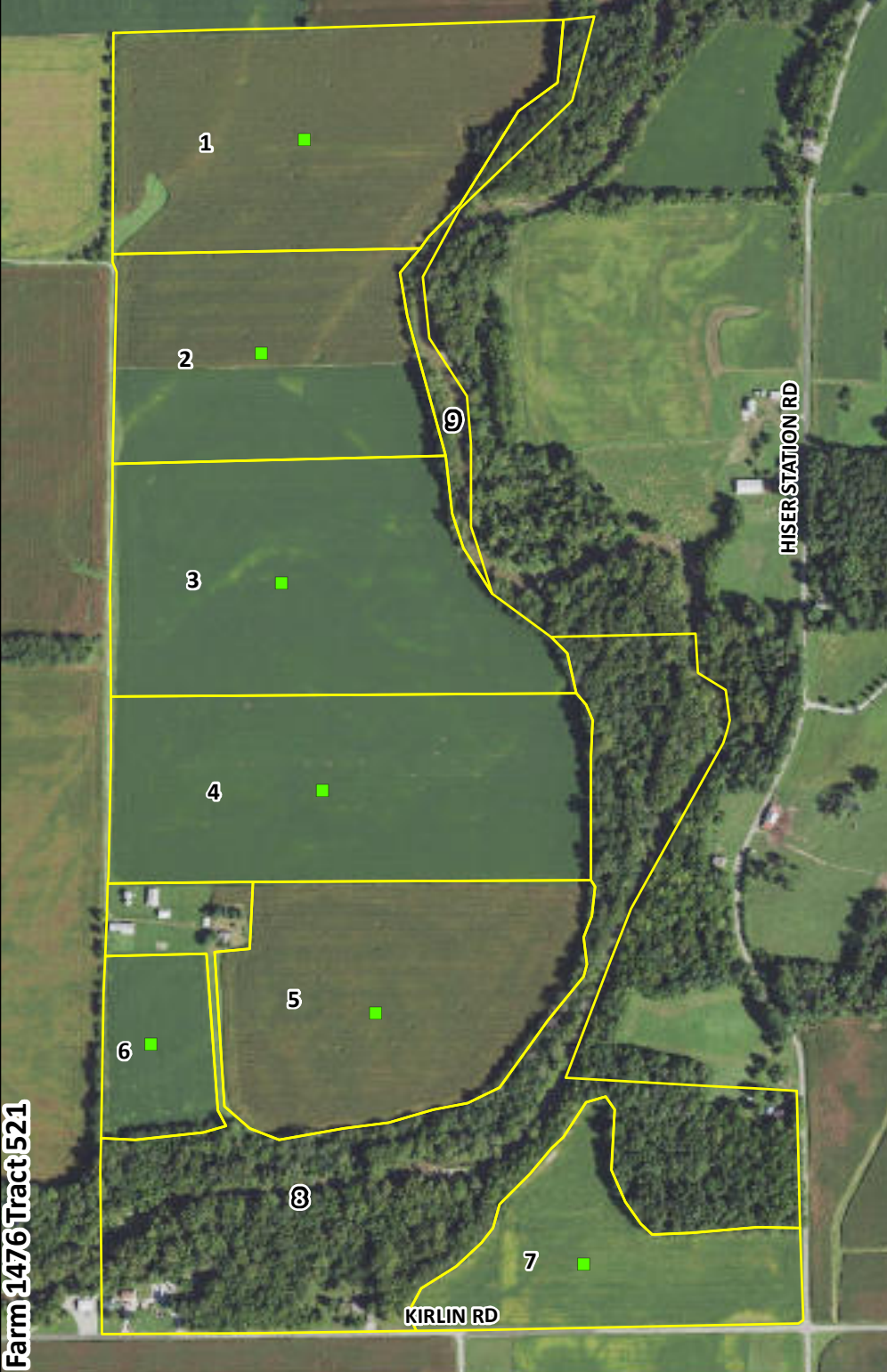
▼ Limited Restrictions

■ Exempt from Conservation Compliance Provisions

**All NIRR / Shares:**

Source: Primarily USDA NAIP 2018 imagery; IDHS or Dynamap roads; FSA data 2020-04-21 14:12:42

Crops are non-irrigated, intended use is grain, and types are YEL (corn), COM (soybeans), and SRW (wheat) unless noted.



CLU	Acres	HEL	LC	Contract	Prac Yr
1	28.94	N	2		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					
2	21.12	N	2		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					
3	30.2	N	2		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					
4	29.64	N	2		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					
5	25.75	N	2		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					
6	6.64	N	2		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					
7	15.15	N	2		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					
8	51.88	U	10		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					
9	4.21	U	10		
<b>IUse:</b>					
<b>NI or IRR</b>					
<b>Shares:</b>					

Farm 1476 Tract 521

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# FSA INFORMATION

Indiana  
Wayne

U.S. Department of Agriculture  
Farm Service Agency

**FARM: 1476**  
Prepared: 1/5/21 10:34 AM  
Crop Year: 2021

Report ID: FSA-156EZ

## Abbreviated 156 Farm Record

Page: 1 of 2

DISCLAIMER: This is data extracted from the web farm database. Because of potential messaging failures in MIDAS, this data is not guaranteed to be an accurate and complete representation of data contained in the MIDAS system, which is the system of record for Farm Records.

**Operator Name** Farm Identifier

RICHARDS, DELORES JEAN

**Farms Associated with Operator:**

None

**ARC/PLC G/W/F Eligibility:** Eligible

**CRP Contract Number(s):** None

Farmland	Cropland	DCP Cropland	WBP	WRP	EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
213.53	157.44	157.44	0.0	0.0	0.0	0.0	0.0	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP					
0.0	0.0	157.44	0.0	0.0					

### ARC/PLC

PLC	ARC-CO	ARC-IC	PLC-Default	ARC-CO-Default	ARC-IC-Default
CORN	SOYBN	NONE	NONE	NONE	NONE

Crop	Base Acreage	PLC Yield	CCC-505 CRP Reduction	HIP
CORN	78.0	145	0.00	
SOYBEANS	78.0	38	0.00	0
<b>Total Base Acres:</b>	156.0			

**Tract Number:** 521 **Description** D9/SE SEC5 TWP15N R13E

**FSA Physical Location :** Wayne, IN **ANSI Physical Location:** Wayne, IN

**BIA Range Unit Number:**

**HEL Status:** NHEL: no agricultural commodity planted on undetermined fields

**Wetland Status:** Wetland determinations not complete

**WL Violations:** None

Farmland	Cropland	DCP Cropland	WBP	WRP	EWP	CRP Cropland	GRP
213.53	157.44	157.44	0.0	0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP			
0.0	0.0	157.44	0.0	0.0			



# FSA INFORMATION

Crop	Base Acreage	PLC Yield	CCC-505 CRP Reduction
CORN	78.0	145	0.00
SOYBEANS	78.0	38	0.00
<b>Total Base Acres:</b>	156.0		

**Owners:** RICHARDS, DELORES JEAN

RICHARDS, SANDY MARK

Indiana

U.S. Department of Agriculture

Prepared: 1/5/21 10:34 AM

Wayne

Farm Service Agency

Crop Year: 2021

Report ID: FSA-156EZ

**Abbreviated 156 Farm Record**

Page: 2 of 2

**DISCLAIMER:** This is data extracted from the web farm database. Because of potential messaging failures in MIDAS, this data is not guaranteed to be an accurate and complete representation of data contained in the MIDAS system, which is the system of record for Farm Records.

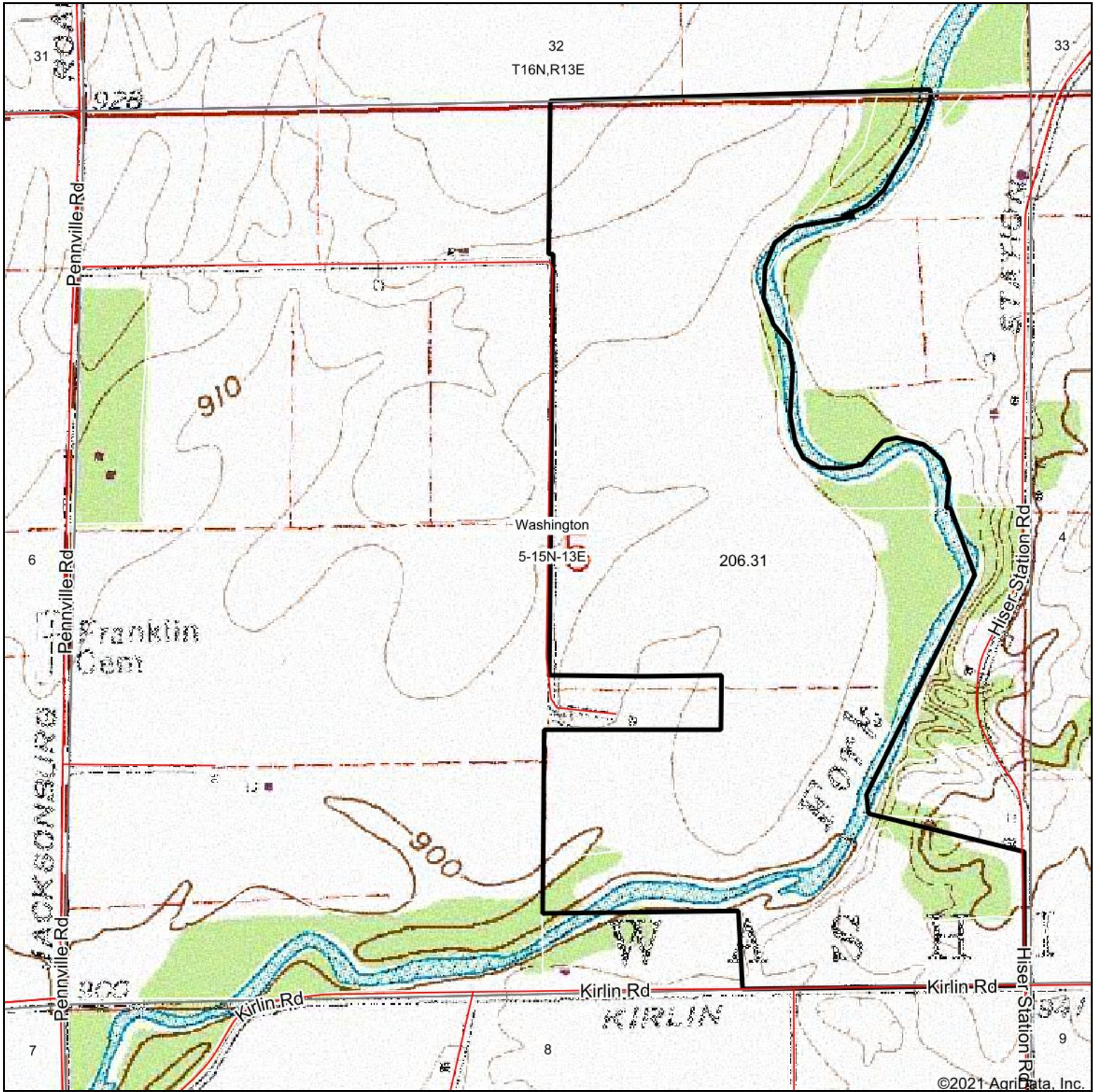
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**Other Producers:** PFLUM, GREG ANTHONY

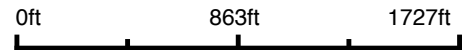
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# TOPOGRAPHY MAP

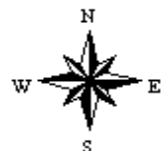
# TOPOGRAPHY MAP



map center: 39° 46' 49.21, -85° 5' 57.47



**5-15N-13E**  
**Wayne County**  
**Indiana**



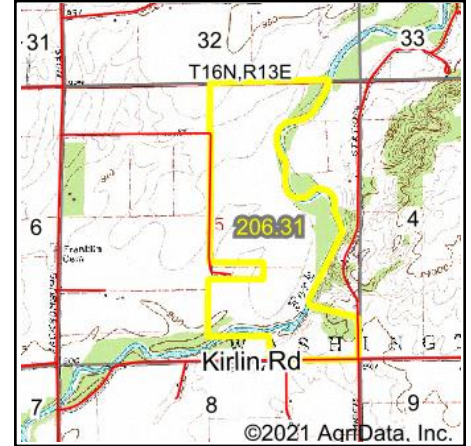
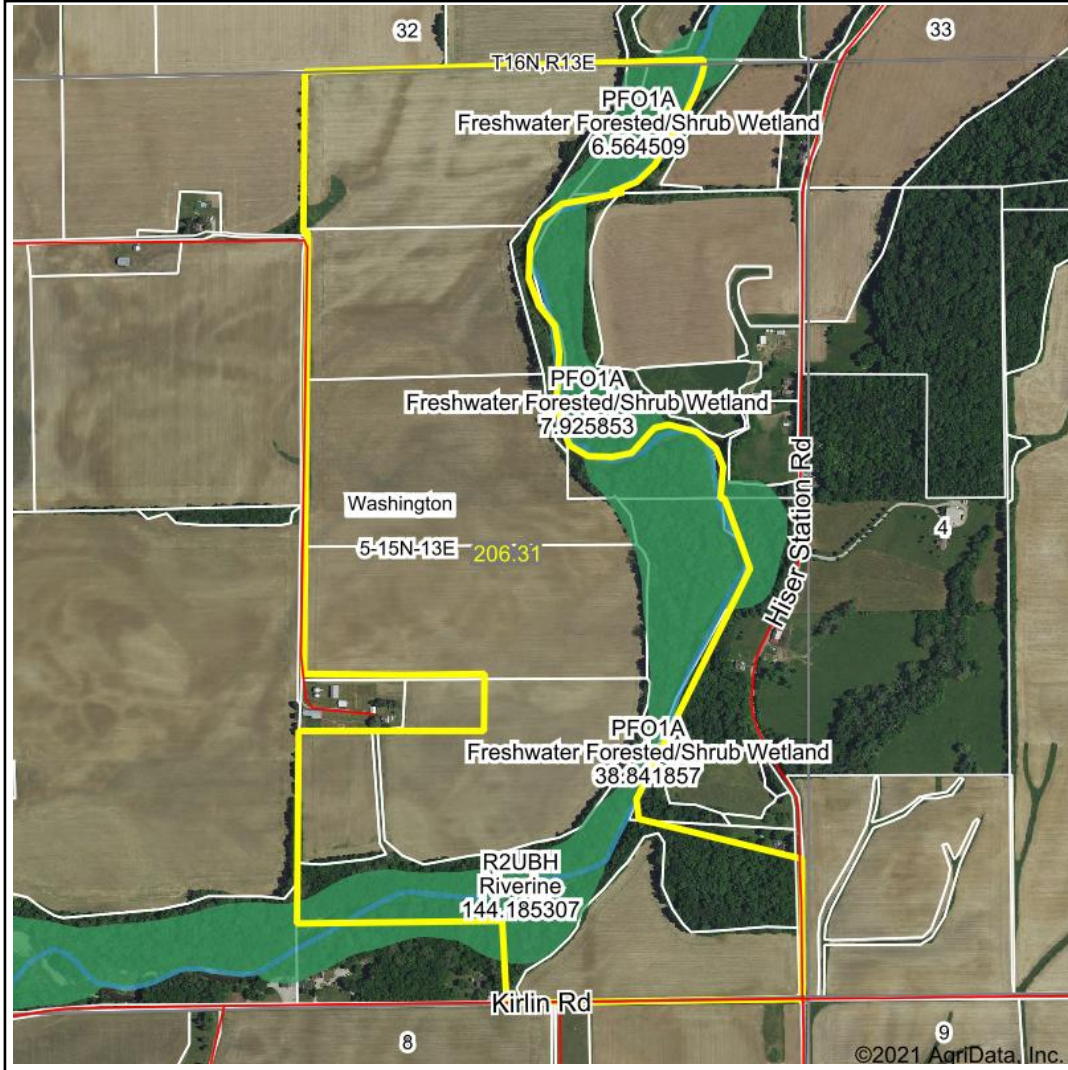
1/11/2021

Maps Provided By:  
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# WETLANDS MAP



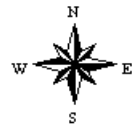
# WETLANDS MAP



State: **Indiana**  
 Location: **5-15N-13E**  
 County: **Wayne**  
 Township: **Washington**  
 Date: **1/11/2021**



Maps Provided By:  
  
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0ft 1168ft 2335ft

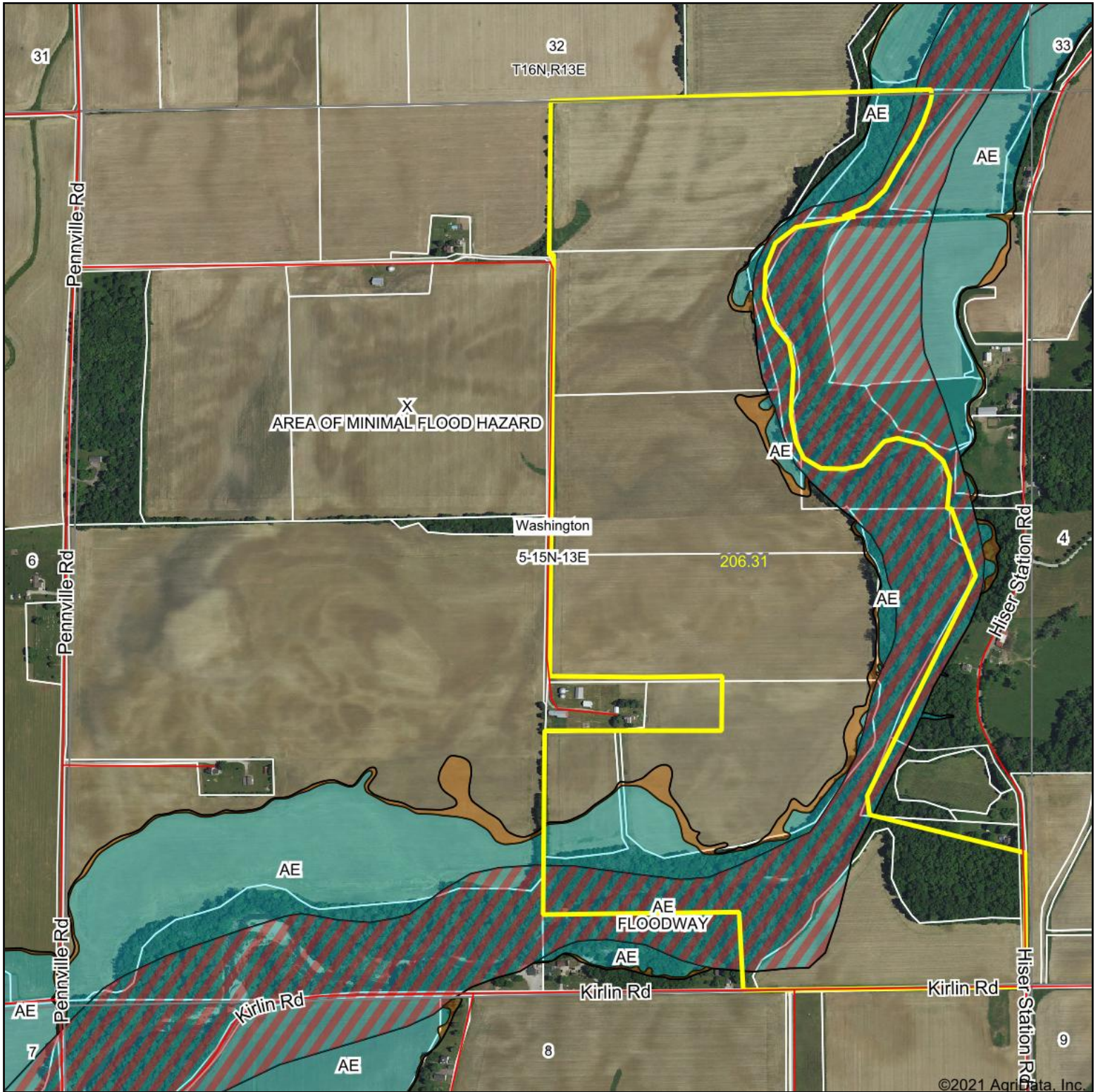
Classification Code	Type	Acres
PFO1A	Freshwater Forested/Shrub Wetland	33.42
R2UBH	Riverine	3.22
Total Acres		36.64

Data Source: National Wetlands Inventory website. U.S. DoI, Fish and Wildlife Service, Washington, D.C. <http://www.fws.gov/wetlands/>

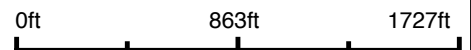
# FLOOD ZONE MAP



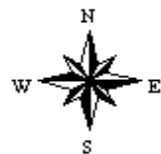
# FLOOD ZONE MAP



Map Center: 39° 46' 49.21, -85° 5' 57.47



5-15N-13E  
Wayne County  
Indiana



1/11/2021

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**PRELIMINARY TITLE**

# PRELIMINARY TITLE

Issuing Agent: **Abstracts of Richmond, Inc.**

Issuing Office: **25 North 8th Street, Richmond, IN 47374**

ALTA<sup>®</sup> Universal ID:

Loan ID Number:

Commitment Number: **2021-0029**

Issuing Office File Number: **2021-0029**

Property Address: **3299 Pennville Rd; 0 Pennville Rd.; 0 Hiser Station Rd.; 0 Hiser Station Rd., Milton, IN 47357**

## SCHEDULE A

1. Commitment Date: **January 6, 2021 at 8:00 a.m.**
2. Policy to be issued:
  - (a) 2006 ALTA<sup>®</sup> Owner's Policy  
Proposed Insured: **To Be Determined**  
Proposed Policy Amount: **To Be Determined**
  - [(b) 2006 ALTA<sup>®</sup> Loan Policy  
Proposed Insured: **To Be Determined**  
9.3-06 Endorsement and Alta 8.1 Endorsement  
Proposed Policy Amount: **To Be Determined**
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. Title to the estate or interest in the Land is at the Commitment Date vested in:  
**Sandy M. Richards and Mary Ellen Richards, husband and wife and Delores J. Richards, as joint tenants with rights of survivorship and not as tenants in common**
5. The Land is described as follows:  
(See Exhibit A attached)  
Map No. **42-05-000-409.000-14 (121.50 acres), 42-05-000-203.000-14 (80.436 acres), 42-05-000-206.010-14 (0.073 acres) and 42-05-000-206.020-14 (3.931 acres)**  
State Parcel No. **89-12-05-000-409.000-026;89-12-05-000-203.000-026;89-12-05-000-206.001-026;89-12-05-000-206.002-026**  
Wayne County  
Taxing Unit – **Washington**

# PRELIMINARY TITLE

## EXHIBIT "A"

A part of the east half of Section 5, Township 15, Range 13 bounded as follows, to-wit: Beginning at the northwest corner of the northeast quarter of said section, running thence east 133 rods to the center of the creek at Marlatt's corner; thence southwesterly down the center of said creek to the corner of lands known as Schoop's land to the northwest corner thereof; thence south 23 degrees west 32 rods; thence south 23 degrees east 12 rods; thence south 60 degrees east 18 rods; thence south 16 degrees east 24 rods; thence south 32 degrees west 19 perches thence south 45 degrees east 17 rods to Schoop's southwest corner; thence east 6.32 rods to a corner of the Wissler land; thence in a southerly direction along the east bank of the creek 94 rods 6 links more or less to the corner between Wissler's and Dr. Swallow's land; thence south 28-1/2 degrees west 16.84 rods to said Swallow's southwest corner; thence south 83 degrees east 54.72 rods to the section line at Swallow's southeast corner; thence south 55.4 rods to the southeast corner of the section; thence west 95 rods to what is known as the Kerlin corner; thence north along the land or line of the Kerlin land 265 rods; thence west 66.48 rods to the northwest corner of the Kerlin land; thence north 273.86 rods to the place of beginning, containing 211 acres 90 rods more or less.

**AND ALSO:** The easement and rights to use a farm lane over real estate owned by Byron L. Sowers, et al in the Northwest Quarter of Fractional Section 5, Township 15, Range 13 in Washington Township, Wayne County, Indiana, all as set forth and defined in a certain Partial Decree entered by the Wayne Circuit Court of Wayne County, Indiana, in Cause No. C-75-7309-C, wherein Byron L. Sowers, et al were plaintiffs and C. Everett Clevenger, et al were defendants, said Partial Decree having been dated May 12, 1976.

**AND ALSO:**

Situated in the Northeast Quarter of Section 5, Township 15 North, Range 13 East, Washington Township, Wayne County, Indiana, being part of a 63.0 acre tract (+/-) described in Instrument Number 1996002390, currently conveyed to Roland Minck & Florence Minck, Trustee's of the Minck Family Trust by Quit Claim Deed recorded in the Office of the Wayne County Recorder, and being more particularly described as follows:

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# PRELIMINARY TITLE

**Commencing at a copperweld monument found at the southeast corner of the Northeast Quarter of said Section 5 in Hiser Station Road;**

**Thence North 00°46'15' East 1641.76 feet along the east line of said Northeast Quarter in said Road to a point on the north line of the said 63.0 acre tract (+/-), said point being with the easterly prolongation of an old wire fence line, witness a railroad spike found North 89°37'28'' East 11.50 feet in Hiser Station Road;**

**Thence South 89°37'28'' West 1138.50 feet along the north line of said 63.0 acre tract and said fence line to the TRUE POINT OF BEGINNING for this tract herein described;**

**Thence North 89°37'28'' East 191.50 feet along the north line of said tract to a point in the center of Greens Fork Creek;**

**Thence South 80°23'24'' West 207.76 feet along the center of said creek, being a new division line to a point on the east line of a 211 acres and 90 rods (+/-) tract described in Instrument Number 2003014764;**

**Thence North 21°46'27'' East 36.00 feet along the east line of said tract to the point of beginning, containing 0.073 acre, more or less.**

**AND ALSO:**

**3.931 acres +/-**

**Commencing at a copperweld monument found at the southeast corner of the Northeast Quarter of said Section 5 in Hiser Station Road;**

**Thence South 89°50'03'' West 869.22 feet along the south line of said Northeast Quarter to a point on the east line of a 211 acres and 90 rods tract (+/-) described in Instrument Number 2003014764 being the TRUE POINT OF BEGINNING for this tract herein described;**

**Thence North 39°31'55'' West 227.18 feet along the east line of said tract to a point;**

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# PRELIMINARY TITLE

**Thence North 30°46'30" East 44.14 feet along the east line of said tract to a point in the center of Greens Fork Creek;**

**Thence the next seven calls along the centerline of said Greens Fork Creek;**

**Thence North 78°44'31" East 105.00 feet to a point;**

**Thence North 42°06'29" East 182.00 feet to a point;**

**Thence North 76°54'14" East 78.00 feet to a point;**

**Thence South 75°41'41" East 153.00 feet to a point;**

**Thence South 49°27'25" East 132.00 feet to a point;**

**Thence South 20°23'34" East 104.00 feet to a point;**

**Thence South 06°23'32" West 164.98 feet to a point on the south line of said Northeast Quarter;**

**Thence South 89°50'03" West 445.40 feet along the south line of said Quarter to the point of beginning, containing 3.931 acres, more or less.**

**EXCEPT (7.564 acres +/-):**

**Situated in the Northeast Quarter of Section 5, Township 15 North, Range 13 East, Washington Township, Wayne County, Indiana, being part of a record 211 acres and 90 rods tract of land currently conveyed to Delores J. Richards and Sandy M. Richards by Executor's Deed described in Instrument Number 2003014764 recorded in the Office of the Wayne County Recorder, and being more particularly described as follows:**

**Commencing at a copperweld monument found at the southeast corner of the Northeast Quarter of said Section 5 in Hiser Station Road;**

**Thence North 00°46'15" East 1641.76 feet along the east line of said Northeast Quarter in said Road to a point on the north line of a record 63.0 acre tract described in Instrument Number 1996002390, said point being with the easterly**

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# PRELIMINARY TITLE

prolongation of an old wire fence line, witness a railroad spike found North 89°37'28" East 11.50 feet in Hiser Station Road;

Thence South 89°37'28" West 947.00 feet along the north line of said 63.0 acre tract and said fence line to a point in the center of Greens Fork Creek;

Thence South 80°23'24" West 207.76 feet along the center of said creek to a point on the east line of said 211 acres and 90 rods tract being the TRUE POINT OF BEGINNING for this tract herein described;

Thence the next five calls along the east line of said tract;

Thence South 21°46'27" West 492.00 feet to a point;

Thence South 24°13'30" East 198.00 feet to a point;

Thence South 61°13'30" East 297.00 feet to a point;

Thence South 17°13'30" East 396.00 feet to a point;

Thence South 30°46'30" West 269.36 feet to a point in the center of said Greens Fork Creek;

Thence the next twelve calls along the center of said creek;

Thence North 86°46'30" West 129.00 feet to a point;

Thence North 58°24'07" West 112.00 feet to a point;

Thence North 25°01'28" West 104.00 feet to a point;

Thence North 10°24'35" West 150.00 feet to a point;

Thence North 03°27'25" East 265.00 feet to a point;

Thence North 09°17'22" West 142.00 feet to a point;

Thence North 37°42'13" West 137.00 feet to a point;

Thence North 19°54'47" West 158.00 feet to a point;

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# PRELIMINARY TITLE

**Thence North 02°41'30" East 175.00 feet to a point;**

**Thence North 21°47'43" East 148.00 feet to a point;**

**Thence North 52°31'59" East 144.00 feet to a point;**

**Thence North 80°23'24" East 125.62 feet to a point the point of beginning,  
containing 7.564 acres, more or less.**

**EXCEPTING ANY REAL ESTATE BEING RETAINED BY THE SELLERS.**

**(Commonly known as: 3299 Pennville Rd; 0 Pennville Rd.; 0 Hiser Station Rd.; 0  
Hiser Station Rd., Milton, IN 47357)**

*"Note: The street address is shown for identification purposes and for convenience only. It should not be construed as insuring the accuracy of the street address as it relates to the insured premises."*

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# PRELIMINARY TITLE

## SCHEDULE B, PART I

### Requirements

All of the following Requirements must be met:

1. DEED:  
FROM: **Sandy M. Richards and Mary Ellen Richards, husband and wife and Delores J. Richards, as joint tenants with rights of survivorship and not as tenants in common**  
TO: **To Be Determined**
2. MORTGAGE:  
FROM: **To Be Determined**  
TO: **To Be Determined**
3. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
4. Pay the agreed amount for the estate or interest to be insured.
5. Pay the premiums, fees, and charges for the Policy to the Company.
6. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.  
*(Documents to be listed here)*
7. Filing of Disclosure of Sales Information Form with the **Wayne** County Auditor.
8. Record survey, plat or other document complying with the requirements of I.C. 36-2-19-4 (b)

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# PRELIMINARY TITLE

**\*\*Note\*\*** Indiana Code 27-7-3.7-1 et seq. concerning Good Funds in real estate transactions requires funds deposited into an escrow account for closing from any party to the transaction in amounts over \$10,000.00 to be in the form of an irrevocable wire transfer. Funds deposited into an escrow account for closing in an amount less than \$10,000.00 must be in the form of cash, irrevocable wire transfer, cashier's check, certified check, check drawn on the escrow account of another closing agent or check drawn on the trust account of a real estate broker licensed under IC 25-34.1. Personal checks exceeding \$500.00 will not be accepted.

**\*\*Note\*\*** By virtue of I.C. 27-7-3.6, a fee of \$5 will be collected from the purchaser of the policy for each policy issued in conjunction with a closing occurring on or after July 1, 2006. The fee should be designated in the 1100 series of the HUD form as a TIEFF (Title Insurance Enforcement Fund Fee) charge.

**\*\*Note\*\*** Indiana Code 32-21-2-3(a) was changed effective 7/1/2020 to require the addition of a notarized proof in addition to a notarized acknowledgement. Therefore, effective July 1, 2020, any instrument that requires a notarized acknowledgement must now also include a notarized proof by an independent witness. If the Company is presented with instruments that do not comply with IC 32-21-2-3(a), the following exception will be added to Schedule B of the policy: "Any defect, lien, encumbrance, adverse claim, or other matter resulting from the failure of the instrument(s) vesting title or creating the interest insured to comply with IC 32-21-2-3(a)."

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# PRELIMINARY TITLE

## SCHEDULE B, PART II

### Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I – Requirements are met.]

2. Real estate taxes assessed for the year 2019 are a lien and are due in two installments payable May 10 and November 10, 2020

Assessed in the name of: Sandy M. Richards and Mary Ellen Richards, husband and wife and Delores J. Richards, as joint tenants with rights of survivorship and not as tenants in common

Parcel No.: 014-00381-00

Taxing Unit and Code: Washington

Land: 122,600

Improvements: 102,100

Exemptions: H 36,540, Sup 8,526, V 24,960

May installment of \$ 1,718.19, Paid

November installment of \$ 1,718.19, Paid

3. Real estate taxes assessed for the year 2019 are a lien and are due in two installments payable May 10 and November 10, 2020

Assessed in the name of: Sandy M. Richards and Mary Ellen Richards, husband and wife and Delores J. Richards, as joint tenants with rights of survivorship and not as tenants in common

Parcel No.: 014-00382-00

Taxing Unit and Code: Washington

Land: 84,400

Improvements: None

Exemptions: None

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# PRELIMINARY TITLE

May installment of \$ 844.00, Paid

November installment of \$ 844.00, Paid

4. Real estate taxes assessed for the year 2019 are a lien and are due in two installments payable May 10 and November 10, 2020

Assessed in the name of: Sandy M. Richards and Mary Ellen Richards, husband and wife and Delores J. Richards, as joint tenants with rights of survivorship and not as tenants in common

Parcel No.: 014-00317.01

Taxing Unit and Code: Washington

Land: 100

Improvements: None

Exemptions: None

May installment of \$ 5.00, Paid

November installment of None Due

5. Real estate taxes assessed for the year 2019 are a lien and are due in two installments payable May 10 and November 10, 2020

Assessed in the name of: Sandy M. Richards and Mary Ellen Richards, husband and wife and Delores J. Richards, as joint tenants with rights of survivorship and not as tenants in common

Parcel No.: 014-00317.02

Taxing Unit and Code: Washington

Land: 1,000

Improvements: None

Exemptions: None

May installment of \$ 20.00, Paid

November installment of None Due

6. Real estate taxes assessed for the year 2020 are a lien but are not yet due and payable.
7. Real estate taxes assessed for the year 2021, not yet due and payable 2022, a lien in an amount unknown.
8. The acreage indicated in the legal description is solely for the purpose of identifying said tract and should not be construed as insuring the quantity of land.
9. Right of way for drainage tiles, ditches, feeders and laterals, if any.
10. Any defect, lien encumbrance, adverse claim, or other matter resulting from the failure of the instrument(s) vesting title or creating the interest insured to comply with IC 32-21-2-3(a).
11. Right-of-way of Pennville Road and Hiser Station Road as shown on the map in the office of the Auditor of Wayne County, Indiana.

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# PRELIMINARY TITLE

12. Any terms, encroachments, encumbrances, or conditions as referenced on proposed survey(s).

## OWNER'S POLICY:

1. We have made a judgment search on **To Be Determined**, and found the following: To Be Determined.
2. Mortgage from **To Be Determined** to **To Be Determined**.

## **NOTE: ANY POLICY ISSUED IN CONNECTION WITH THIS COMMITMENT WILL CONTAIN THE FOLLOWING PRE-PRINTED EXCEPTIONS:**

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties other than Insured in actual possession of any or all of the property.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land Survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
4. Unfiled mechanic's or materialmen's liens.
5. Easements or claims of easements, not shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public record.

Note: The Policy(s) of Insurance may contain a clause permitting arbitration of claims at the request of either the Insured or the Company. Upon request, the Company will provide a copy of this clause and the accompanying arbitration rules prior to the closing of the transaction.

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# PROPERTY PHOTOS



















































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