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Monroe County Recorder IN Recorded as Presented

Jeff Ellington

### **LEGAL DESCRIPTIONS**

A part of the Southeast quarter of Section 27. Township 8 North, Range 1 West and a part of the Southwest quarter of Section 26, Township 8 North, Range 1 West, all in Monroe County, Indiana, described as follows:

BEGINNING at a railroad spike at the Northwest corner of said Southwest quarter of Section 26, same being the Northeast corner of said Southeast quarter of Section 27; thence North 89 degrees 22 minutes 33 seconds East along the North line of the Southwest quarter of Section 26 a distance of 144.88 feet; thence South 00 degrees 08 minutes 10 seconds East, passing a % inch rebar with yellow plastic cap stamped "BRG INC 6892", hereinafter referred to as a rebar with BRG cap on the South Right-of-Way of Moffett Lane at 30.00 feet, a total distance of 104.38 feet to a rebar with BRG cap; thence South 89 degrees 22 minutes 33 seconds West 50.00 feet to rebar with BRG cap in an existing fence; thence South 00 degrees 08 minutes 10 seconds East along said fence a distance of 442.18 feet to a rebar with BRG cap; thence North 89 degrees 15 minutes 20 seconds West 416.70 feet; thence North 00 degrees 13 minutes 05 seconds West, passing a rebar with BRG cap on the South Right-of-Way of Moffett Lane at 516.26 feet, a total distance of 545.71 feet to the North line of the Southeast quarter of said Section 27; thence South 89 degrees 00 minutes 15 seconds East along said north line a distance of 322.62 feet to the POINT OF BEGINNING, containing 5.34 acres, more or less.

Subject to the 25 foot (west of Harrell Road) and 30 foot (east of Harrell Road) dedicated right-of-way of Moffett Lane and all easements of record. Acreage less right-of-way dedication is 5.04 acres.

#### TRACT 2

A part of the Southeast quarter of Section 27, Township 8 North, Range 1 West and a part of the Southwest quarter of Section 26, Township 8 North, Range 1 West, all in Monroe County, Indiana, described as follows:

Commencing at a railroad spike at the Northwest corner of said Southwest quarter of Section 26, same being the Northeast corner of said Southeast quarter of Section 27; thence North 89 degrees 22 minutes 33 seconds East along the North line of the Southwest quarter of Section 26 a distance of 144.88 feet to the POINT OF BEGINNING; thence North 89 degrees 22 minutes 33 seconds East along said North line a distance of 246.07 feet to the northerly extension of an existing north/south fence; thence South 09 degrees 27 minutes 54 seconds West along said fence line and the extension thereof, passing a 5/8 inch rebar with yellow plastic cap stamped "BRG INC 6892", hereinafter referred to as a rebar with BRG cap at 30.47 feet. a total distance of 333.35 feet to a rebar with BRG cap; thence South 89 degrees 27 minutes 37 seconds East along an existing fence a distance of 129.44 feet to a rebar with BRG cap; thence South 82 degrees 11 minutes 15 seconds East along an existing fence a distance of 159.83 feet; thence South 09 degrees 27 minutes 54 seconds West 555.75 feet to a rebar with BRG cap; thence South 85 degrees 30 minutes 31 seconds East 391.36 feet; thence South 05 degrees 30 minutes 00 seconds West 404.84 feet; thence North 89 degrees 24 minutes 34 seconds West 200.00 feet; thence South 00 degrees 35 minutes 26 seconds West 742.25 feet; thence North 89 degrees 15 minutes 20 seconds West, leaving the Southwest quarter of Section 26 and entering the Southeast quarter of Section 27, 991.02 feet; thence North 00 degrees 13 minutes 05 seconds West 1516.49 feet to a rebar with BRG cap; thence South 89 degrees 15 minutes 20 seconds East, leaving the Southeast quarter of Section 27 and entering the Southwest quarter of Section 26, 416.70 feet to a rebar with BRG cap in an existing fence; thence North 00 degrees 08 minutes 10 seconds West along said fence 442.18 feet to a rebar with BRG cap; thence leaving said fence North 89 degrees 22 minutes 33 seconds East, 50.00 feet to a rebar with BRG cap, thence North 00 degrees 08 minutes 10 seconds West, passing a rebar with BRG cap at 74.37 feet, a total distance of 104.38 feet to the POINT OF BEGINNING, containing 40.38 acres, more or less.

Subject to the 30 foot dedicated right-of-way of Moffett Lane and all easements of record. Acreage less right-of-way dedication is 40.21 acres.

#### 0.12 ACRE TRANSFER AREA

A part of the Southwest quarter of Section 26, Township 8 North, Range 1 West, in Monroe County, Indiana, described as follows:

COMMENCING at a railroad spike at the Northwest corner of said Southwest quarter of Section 26, same being the Northeast corner of said Southeast quarter of Section 27; thence North 89 degrees 22 minutes 33 seconds East along the North line of the Southwest quarter of Section 26 a distance of 144.88 feet to the POINT OF BEGINNING; thence South 00 degrees 08 minutes 10 seconds East, passing a 5/8 inch rebar with yellow plastic cap stamped "BRG INC 6892", hereinafter referred to as a rebar with BRG cap on the South Right-of-Way of Moffett Lane at 30.00 feet, a total distance of 104.38 feet to a rebar with BRG cap; thence South 89 degrees 22 minutes 33 seconds West 50.00 feet to rebar with BRG cap in an existing fence; thence North 00 degrees 08 minutes 10 seconds WEST 104.38 feet to the North line of said Southwest quarter; thence North 89 degrees 22 minutes 33 seconds East along said line a distance of 50.00 feet to the POINT OFBEGINNING, containing 0.12 acres, more or less.

Subject to the 35 foot dedicated right-of-way of Moffett Lane and all easements of record. Acreage less right-of-way dedication is 0.09 acres.

#### 14.47 ACRE TRANSFER AREA

A part of the Southeast quarter of Section 27, Township 8 North, Range 1 West and a part of the Southwest quarter of Section 26, Township 8 North, Range 1 West, all in Monroe County, Indiana, described as follows:

Commencing at a railroad spike at the Northwest corner of said Southwest quarter of Section 26, same being the Northeast corner of said Southeast quarter of Section 27, therice North 69 de seconds East, along the North line of the Southwest quarter of Section 26, a distance of 94.875 feet; thence South 00 degrees 08 minutes 10 seconds East, leaving the North line of the Southwest quarter and parallel to the West line of the Southwest quarter, 546.55 feet to a % inch rebar with yellow plastic cap stamped "BRG INC 6892", hereinafter referred to as a rebar with BRG cap, and the POINT OF BEGINNING thence South 00 degrees 08 minutes 10 seconds East 1516.45 feet to a rebar with BRG cap; thence North 89 degrees 15 minutes 20 seconds West, leaving the Southwest quarter of Section 26 and entering the Southeast quarter of Section 27, 414.53 feet; thence North 00 degrees 13 minutes 05 seconds West 1516.49 feet to a rebar with BRG cap; thence South 89 degrees 15 minutes 20 seconds East 416.70 feet to the Point of Beginning, containing 14.47 acres, more or less.

#### **TELEPHONE EASEMENT**

A part of the Southwest quarter of Section 26, Township 8 North, Range 1 West, all in Monroe County, Indiana, described as follows:

Commencing at a rail road spike at the Northwest corner of said Southwest quarter of Section 26, same being the Northeast corner of said Southeast quarter of Section 27; thence North 89 degrees 22 minutes 33 seconds East, along the North line of the Southwest quarter of Section 26, 65.05 feet; thence South 00 degrees 08 minutes 10 seconds East, leaving the North line of the Southwest quarter and parallel to the West line of the Southwest quarter, 30.00 feet to the dedicated right of way and to the POINT OF BEGINNING; thence along said right of way, North 89 degrees 22 minutes 33 seconds East, 30.04 feet; thence leaving said right of way, South 00 degrees 05 minutes 49 seconds West, 24.37 feet; thence North 88 degrees 09 minutes 45 seconds West, 30.61 feet; thence North 01 degree 29 minutes 41 seconds East, 23.07 feet to the Point of Beginning, containing 719 square feet, more or less.

## SEARS MOFFETT LANE ADMINISTRATIVE TYPE "E" SUBDIVISION, FINAL PLAT A PLAT OF SURVEY IN A PART OF THE SOUTHWEST QUARTER OF SECTION 26, T8N, R1W AND PART OF THE SOUTHEAST QUARTER SECTION 27, T8N, R1W, MONROE COUNTY, INDIANA

#### SURVEYOR'S CERTIFICATION

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

Evidence of easements have not been located in the field and are not shown on this survey drawing.

Subject to the above reservation, I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and control and that all information shown is true and correct to the best of my knowledge and belief.

Certified this 26th day of August, 2014

Rachel A Oser Professional Surveyor No. 21100022 State of Indiana



#### REPORT OF SURVEY

In accordance with Title 865, 1-12-1 through 1-12-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- Reference monuments of record
- Title documents of record
- Evidence of active lines of occupation
- Relative Positional Accuracy "RPA"

The Relative Positional Accuracy "RPA" (due to random errors in measurement) of this survey is within that allowable for a rural survey (0.14 feet) as defined IAC, Title 865 ("Relative Positional Accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.")

In regard to monuments, point (a) above, in many cases the original section corners were not perpetuated or have need obliterated with time and therefore existing topographical features and monuments of modern origin provide the only evidence of the corner's most PROBABLE and/or ACCEPTED POSITION. In the absence of CREDITABLE physical and/or record evidence then proportional measurement has been used to establish the points of division of the section.

Section corners found or established by topographical features, monuments of modern origin or proportional measurement will be labeled as "ACCEPTED CORNER" on the plat of survey and are subject to undiscovered evidence regarding the true location of said corners. Uncertainty that surrounds an "ACCEPTED CORNER" is inherently passed to any parcel corner dependent upon the position of the section corner. Uncertainty of "ACCEPTED CORNERS" cannot be determined as the position of the "TRUE or ORIGINAL" corner is unknown. If any uncertainty is reported it is only an

In regard to "ACTIVE LINES OF OCCUPATION", point (c) above: ACTIVE refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges and retaining walls. The uncertainty cited for a line of occupation is general in nature and is NOT intended to be specific for every point along the line. Therefore portions of the occupation line may vary from the surveyed line by a distance greater or less than uncertainty cited in this report.

This survey is a Retracement Survey.

This survey was performed at the request of Joseph & Patti Sears.

The property is currently in the name of Joseph & Patti Sears (Book 436, Page 608) and The Trustees of the Souls Matter Apostolic Church (Deed Record No. 2012002045).

The field work was completed on December 1, 2009.

The purpose of this survey is to create new parcel descriptions and road dedications for Type E MONUMENTS FOUND:

- Quarter corner common to Sections 26 & 27: railroad spike.
- Section corner common to Sections 27,26, 34 and 35: rebar with Potter cap.
- Quarter corner common to Section 27 & 28: railroad spike
- Other monuments as shown

#### **ESTABLISHMENT OF LINES AND CORNERS:**

The parent description (Sears) was held at record bearings and distances from the line between monuments No. 1 & 2. The East line of Dogwood Estates was held as the West line of the Church

As a result of the above observations, it is my opinion that the uncertainties in the location of the lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments; up to 0.14 feet.

Due to Occupation or possession lines; up to 10.39 feet East - West on the West line of the church property (330 feet versus 319.6 feet found). Other fences as shown.

Due to Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines; None noted.

### RECORD DESCRIPTIONS

OLD TRACT 1 DESCRIPTION - THE TRUSTEES OF THE SOULS MATTER APOSTOLIC CHURCH - INSTRUMENT NO. 2012002045

A part of the East one-half of the Southeast quarter of Section Twenty-seven (27), Township Eight (8) North, Range One (1) West, bounded as follows, to wit: Beginning at the Northeast corner of said half quarter section; thence running West Twenty (20) rods; thence running South One Hundred Twenty-five (125) rods; thence East Twenty (20) rods to the East line of said half quarter section; thence North on said line One Hundred Twenty-five (125) rods to the place of beginning.

ALSO, a part of the West one-half of the Southwest quarter of Section Twenty-six (26), Township Eight (8) North, Range One (1) West, bounded as follows, to-wit: Beginning at the Northwest corner of said half quarter section; thence running East Five and Three-quarters (5 3/4) rods; hence South One Hundred Twenty-five (125) rods; thence West Five and Three-quarters (5 3/4) rods to the West line of said half quarter section; thence North on said line One Hundred Twenty-five (25) rods to the place of beginning.

OLD TRACT 2 DESCRIPTION - JOSEPH AND Patti SEARS - DB 436, PG 608

Part of the West half of the Southwest quarter of Section 26, Township 8 North, Range I West, Perry Township, Monroe County, Indiana, being more particularly described as follows: Commencing at a railroad spike at the Northwest corner of the Southwest quarter of said Section 26; thence North 89 degrees 22 minutes 33 seconds East along Moffat Lane 94.875 feet to the point of beginning; thence North 8 degrees 22 minutes 33 seconds East along Moffat Lane 296.07 feet; thence South 09 degrees 27 minutes 54 seconds West along a fence line 333.35 feet to a rebar with cap; thence South 89 degrees 27 minutes 37 seconds East along an existing fence line 129.44 feet to a rebar with plastic cap; thence South 82 degrees 11 minutes 15 seconds East along an existing fence line 159.83 feet to a rebar with cap; thence South 09 degrees 27 minutes 54 seconds West .555.75 feet to a rebar with cap; thence South 85 degrees 30 minutes 31 seconds East along a fence 391. 36 feet to a rebar with cap; thence south 05 degrees 30 minutes 00 seconds West along a fence 404.84 feet to a rebar with cap; thence North 89 degrees 24 minutes 34 seconds West, a distance of 200.00 feet to a 5/8" rebar with yellow cap; thence South 00 degree 35 minutes 26 seconds West a distance of 742.25 feet to a rebar; thence North 89 degrees 15 minutes 20 seconds West a distance of 576.49 feet to a rebar with cap: thence North 00 degrees 08 minutes 10 seconds West parallel with the West line of the Southwest quarter of said Section 26 for 2063.00 feet to the point of beginning. Containing 26.03 acres, more or less. Subject to the covenants of the easement for ingress/egress set forth in the Quitclaim Deed from

Naomi Stillions, etal, to Norman Shields and Nancy Shields, husband and wife, recorded, July 28, 1994, in Deed Record 425, pages 195-196.

Subject to the 25 foot public road right of way.

Subject to the Water Line Easements granted by Norman Shields, etal, to David R. Bruner and Deborah J. Bruner, Husband and Wife, in deed conveying adjoining real estate dated December 22, 1980, recorded May 12, 1980, in Deed Record 282, pages 417-418, in the Office of the Recorder of

Subject to the Water Line Easement granted by Norman Shields, etal, to Delmar A. Chastain and Marjorie E. Chastain, husband and wife, in deed conveying adjoining real estate dated December 22, 1980, recorded January 16, 1981, in Deed Record 280, pages 289-290, in the Office of the Recorder of Monroe County, Indiana.

Subject to the Electric Pole Line Easement to Public Service Company of Indiana, Inc., dated February 26, 1952, recorded May 17, 1952, in Deed Record 111, pages 558-559, in the Office of the Recorder of Monroe County, Indiana.

Subject to the License for Water Line construction to City of Bloomington dated May 12, 1966, recorded May 16, 1966, in Miscellaneous Record 59, page 43, in the Office of the Recorder of Monroe County, Indiana.

OWNER/DEVELOPER Joseph & Patti Sears 3396 Moffett Lane Bloomington, IN 47401 Use: Single family residential. Waste removal and

Subsistence farming

The Trustees of the Souls Matter Apostolic Church 3373 Moffett Lane Bloomington, IN 47401 Use: Church and Smithville Telephone hub

DB 436, PG 608 INST# 2012002045

RECORD INFORMATION:

AUDITOR PARCEL#: Tax Parcel #014-30400-00 #014-38000-00 #014-38005-00

ZONING: SUBJECT: AG/RR & ECO #3 ADJOINERS: AG/RR, SR & ECO #3

FLOOD ZONE: PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA PER MAP NO. 18105C0275D. DATED DECEMBER 17, 2010



SFP 1 0 2014



AUDITOR'S STAMP

#### NOTES:

FIELD WORK COMPLETED IN DECEMBER 2009. CONTOURS SHOWN ARE FROM THE INDIANA UNIVERSITY SPATIAL DATA WEBSITE AND ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES.

3. RIPARIAN BUFFER PER ALLEN'S CREEK 7-1/2 MINUTE QUADRANGLE. REFER TO MONROE COUNTY **ZONING ORDINANCE SECTION 825(B).** 

4. TRACT 1 IS UTILIZED FOR A RELIGIOUS FACILITY. TRACT 2 IS A RESIDENTIAL HOME.

AND DEDICATED FROM THE SECTION LINE.

REBAR SET ARE % INCH WITH YELLOW PLASTIC CAP STAMPED "BRG INC 6892" RIGHT OF WAY DEDICATED FOR MOFFETT LANE

WAS CALCULATED FROM THE AS-BUILT CENTERLINE

## **OWNER CERTIFICATION**

Joseph Sears, Patti Sears and The Trustees of the Souls Matter Apostolic Church, owners of the real estate shown and described herein, do hereby certify, layoff, and plat two (2) tracts, numbered 1 and 2.

Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certificate, this plat shall be known as Sears Moffett Lane Administrative Type "E" Subdivision Final Plat.

The undersigned do hereby certify to Monroe County Plan Commission that they have met all required specifications in accordance with this ordinance as to improvements

IN WITNESS WHEREOF, the undersigned Declarant sets their hands and seals this find day of September 2014.

Patti Sears (Patti Sears is one and the same person as Patty Sears, on the deed recorded as Deed Book 436, page 608. The correct spelling is Patti Sears)

on Strunk, Pastor/Trustee (Souls Matter Apostolic Church)

Konetta Kandis

STATE OF INDIANA COUNTY OF MONROE

Before me, a Notary Public in and for said County and State, personally appeared Joseph Sears, Patti Sears, Aaron Strunk, John Clark and Rosetta Deckard, who acknowledged the execution of the above referenced plat, to be their voluntary act for the uses and purposes therein set forth.

WITNESS my hand and Notarial Seal this 9th day of September, 2014

Mandi R. Eaton

My County of Residence: Mon ←



# **Bledsoe Riggert Guerrettaz**