

SOUTH WHITLEY TOWN COUNCIL SPECIAL MEETING
JUNE 1ST 2016 10:00 AM
TOWN HALL BOARD ROOM
118 E FRONT ST
SOUTH WHITLEY, IN 46787

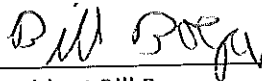
SUBJECT MATTER: DEDICATION OF PUBLIC RIGHT OF WAY OF REAL ESTATE

Present were Council President Bill Boggs, Councilman Randy Cokl, Wastewater Operator Kent Slater and Clerk-Treasurer Janet Howard. Absent was Councilman Les Hoffman.

Call to order 10:00 AM by President Boggs

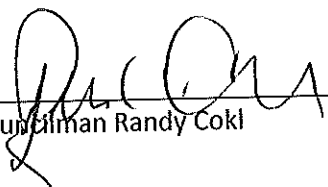
Motion to approve the Dedication of Public Right of Way of Real Estate from National Oil and Gas, Inc. and Larod, LLC for an extra 8 feet of easement to work on sewers if need be was made by President Boggs and seconded by Councilman Cokl. Carried a 2-0 vote. Bill stated that Attorney Hockemeyer worked up the paper.

Motion to adjourn meeting was made by Councilman Cokl and seconded by President Boggs. Adjourned at 10:04 AM.



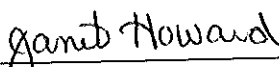
President Bill Boggs

Councilman Les Hoffman



Councilman Randy Cokl

ATTEST



Clerk-Treasurer, Janet Howard

DEDICATION OF PUBLIC RIGHT-OF-WAY

This Dedication of Public Right-of-Way ("Dedication") witnesseth that National Oil & Gas, Inc., and Larod, LLC, (collectively, "Grantor"), for and in consideration of the sum of one dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby dedicate to the Town of South Whitley, Indiana ("Grantee"), for public right-of-way purposes, the real estate situated in Whitley County, Indiana, and described as follows (the "Right-of-Way"):

Part of the Southeast Quarter of Section 33, Township 31 North, Range 8 East, Whitley County, Indiana, more particularly described as follows, to wit:

Commencing at a railroad spike found at the point of intersection of the centerline of State Road Number 5 and the South line of said Southeast Quarter, said railroad spike being situated N90°-00'-00"W, a distance of 671.0 feet (recorded 680 feet) from an iron pin found at the Northeast corner of the Fractional Northeast Quarter of Section 4, Township 30 North, Range 8 East, Whitley County, Indiana; thence N90°-00'-00"W, on and along the South line of said Southeast Quarter, a distance of 451.45 feet to a Mag nail at the POINT OF BEGINNING; thence continuing N90°-00'-00"W, on and along said South line, being within the right-of-way of First Street, a distance of 40.00 feet to a P.K. nail found; thence N00°-22'-58"W, a distance of 200.00 feet to an iron pin found; thence S90°-00'-00"E, a distance of 40.00 feet to a 5/8-inch iron pin capped "Walker"; thence S00°-22'-58"E, a distance of 200.00 feet to the point of beginning, containing 0.18 acres of land, more or less, subject to legal right-of-way for First Street, subject to all legal drainage easements, subject to an ingress and egress easement as recorded in Document Number 88-8-425 in the records of Whitley County, Indiana, and subject to all other easements of record.

This Dedication is made and accepted subject to the following terms and conditions:

1. The Right-of-Way is dedicated for use as a public right-of-way and for use in accordance with Indiana law as it pertains to the use of public rights-of-way by public and municipal utilities.
2. The construction of any public road or public improvements within the Right-of-Way shall be subject to all local ordinances and other applicable laws regarding the specifications and requirements for such improvements, the dedication and acceptance of such improvements and any required performance guaranties.
3. Grantor specifically reserves for itself (and its successors, assigns and grantees) the right of access to any public road which hereafter may be constructed within the Right-of-Way. Grantee expressly

accepts this Dedication subject to such reserved right of access.

4. The undersigned individual executing this document represents and warrants that the undersigned is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the bylaws of the Grantor, to execute and deliver this document; that the Grantor is a corporation duly incorporated and existing under the laws of the State of Indiana; that the Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of this conveyance has been duly taken.

In witness whereof, Grantor has executed this Dedication as of the 24th day of MAY, 2016.

Larod, LLC

National Oil & Gas, Inc.

By: [Signature]
(Signature)

By: [Signature]
(Signature)

Printed name: D. Matthew Starks

Printed name: Alan J Gunkel

Printed title: Member

Printed title: Vice President

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared ALAN J. GUNKEL of National Oil & Gas, Inc., its duly authorized officer, who acknowledged execution of the foregoing Dedication of Public Right-Of-Way for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 26th day of MAY, 2016.

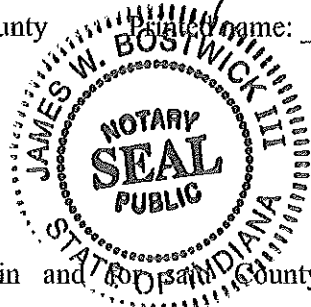
My Commission Expires: APRIL 18, 2016

Signature: [Signature]

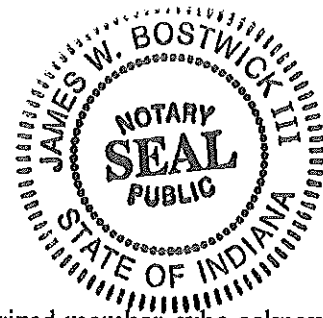
Resident of ALLEN County

Printed name: JAMES W. BOSTWICK III
Notary Public

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)



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



TONY STARKEY of Larod, LLC, a duly authorized member, who acknowledged execution of the foregoing Dedication of Public Right-Of-Way for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 24th day of MAY, 2016.

My Commission Expires: APRIL 18, 2018

Signature: [Handwritten Signature]

Resident of ALLEN County

Printed name: JAMES W. BOSTWICK III
Notary Public

ACCEPTANCE

The foregoing Dedication is accepted by the Town of South Whitley, by and through its Town Council, as of the 1st day of June, 2016.

[Handwritten Signature]
Bill Boggs

Les Hoffman
[Handwritten Signature]
Randy Cokl

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. [Name:] Gregory W. Hockemeyer

*This instrument prepared by Gregory W. Hockemeyer
Myers Hockemeyer & McNagny, LLP, 116 N Chauncey St., Columbia City, Indiana 46725*