



CLARISSA ALVEY ESTATE

FLOYDS KNOBS 173 ACRE ABSOLUTE AUCTION

BID PACKET

SATURDAY, MARCH 14 @ 10AM

**3324 BALMER FENWICK ROAD
FLOYDS KNOBS, IN**

**HARRITT
GROUP** INC.

HARRITGROUP.COM

4704 CORYDON PIKE, NEW ALBANY, IN - 812-944-0217 - 502-592-4000 - INFO@HARRITGROUP.COM



REAL ESTATE AUCTION TERMS AND CONDITIONS
3324 BALMER FENWICK ROAD, FLOYDS KNOBS, IN 47119
Saturday, March 14, 2020

Each property is offered under specific terms and conditions per the printed auction bid packet and is included and adapted in a legally binding purchase agreement. If you have not read and reviewed the auction bid packet or do not completely accept the terms and conditions - do not bid.

REGISTRATION REQUIRED - Onsite registration will begin one hour prior to auction. All bidders must provide a valid driver's license and current address. By registering, all bidders acknowledge having read and agree to be bound by the Auction Terms and Conditions. The Harritt Group staff is always available on auction day to assist any bidder who has questions. If you need assistance prior to please call our office at 812-944-0217.

BIDDING LIVE ONSITE - Bidding in this auction is being conducted live onsite beginning at 10am.

MULTI-PAR BIDDING - The multi-parcel auction method is used to sell multiple parcels (tracts) of real estate at auction - first offering each tract individually, and then in various combinations. The final sales price is determined by the combinations which realize the highest bid. The Harritt Group staff is always available to assist any bidder who has questions. If you need assistance on how to bid prior to auction day, please call our office for assistance @ 812-944-0217. Our staff will be available on auction day for questions.

AUCTION ORDER - *Round One* - Selling each tract individually beginning with Tract 1. *Round Two and Beyond* - Bidder's Choice of any individual tract or combination of tracts.

BUYER'S PREMIUM - A buyer's premium of ten percent (10%) of the high bid shall be added to the hammer bid price and included in the total purchase price to be paid by the successful bidder(s). Example: Hammer Bid Price \$100,000 plus a 10% buyer's premium equals a contract purchase price of \$110,000.

MANNER OF PAYMENT - A 10% *non-refundable down payment* in the form of cash or check is due immediately following the auction with the signing of a legally binding purchase agreement.

CLOSING - All auctions are a cash sale and the balance of the purchase price will be due in 40 days. If the buyer chooses to obtain financing for the balance of the purchase price, completion of this transaction is *not* based upon the condition of successfully obtaining financing nor is it subject to a satisfactory appraisal or inspections of any kind. All closing costs and wiring fees are the buyer's expenses.

POSSESSION - Seller will give possession at closing.

SURVEY - A current survey by David J. Ruckman, P.L.S. is provided by the seller.

INSPECTION - Property is being sold "As Is" with no contingencies and no warranties expressed or implied by the seller or the auction company. All inspections are welcomed *prior to auction* at the buyer's expense. The buyer relies upon the condition of the property based upon their own examination and due diligence concerning the property and has not relied upon any statement or representation by the auctioneer or staff as to the nature or condition of the property. All information contained in the advertising and all related materials is subject to the terms and conditions outlined in the purchase agreement. All home measurements are per courthouse records. *Buyer acknowledges that in every neighborhood there are conditions that others may find objectionable. The buyer shall, therefore, be responsible to become fully acquainted with the neighborhood and other off-site conditions that could affect the Property.*

FLOOD DESIGNATION - Buyer may not terminate the agreement if the property requires flood insurance or that is subject to building or use limitations by reason of the location, which materially interferes with the buyer's intended use of the property. The buyer shall pay for and be responsible for flood certification if needed. *FEMA records indicate Tract 6 is located in Flood Zone A.*

EVIDENCE OF TITLE - Seller will provide merchantable title via a deed. Cost of title evidence, as desired by the buyer, to be a buyer's expense. Owner's title insurance is always strongly recommended, and that without said insurance, the buyer may have no future objections to the title, or potential losses. The buyer is accepting title subject to all recorded or unrecorded covenants, restrictions, and easements.

PROTECTIVE COVENANTS AND RESTRICTIONS

Property is being sold without deed restrictions or protective covenants.

FUTURE DIVISION OF LOTS

Per the director of Floyd County Building & Developing Services - "The lots as presented in the survey are buildable per Floyd County Zoning and Subdivision standards. Any plans for future division of lots would need to meet Floyd County Zoning and Subdivision standards prior to splits being made."

SHARED ROADWAY ACCESS EASEMENT AND MAINTENANCE AGREEMENT

All lots shall benefit from a 50' road and utility easement as shown on the Division Plan. The owners shall proportionately share the expense of all reasonable and necessary maintenance and repairs required to maintain the private roadway. The easement currently follows the existing asphalt driveway to a point and will then follow to the existing unimproved Alvey Farm Road as shown on the Division Plan.

REAL ESTATE TAXES AND ASSESSMENTS - If the property sells in individual tracts the buyer will assume 2021 taxes due and payable 2022. If the property sells to one buyer the taxes shall be prorated to the day of closing. All taxes that have accrued for any prior calendar year that remain unpaid shall be paid by the seller either to the County Treasurer and/or the buyer in the form of a credit at closing. *The buyer also acknowledges the seller's tax exemptions and/or credits may not be reflected on future tax bills.* The buyer may apply for current-year exemptions/credits at or after closing if applicable.

FEDERAL LEAD-BASED PAINT DISCLOSURE - Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint. All inspections and assessments for the presence of lead-based paint and/or lead-based paint hazards must be made prior to the auction. The buyer waives the 10-day opportunity to conduct such an assessment and acknowledge receipt of the lead-based paint disclosure form.

SOLD WITHOUT RESERVE - Property selling to the highest bidder with no minimum.

BROKER PARTICIPATION - A commission will be paid to any properly licensed Broker who registers prior to a successful buyer according to the appropriate Broker Participation Agreement and requirements.

PRE-AUCTION SALES - Pre-auction offers must meet all auction terms and be submitted to the Auctioneer on the Auction Purchase Agreement along with the required deposit. Properly submitted offers will be presented to the seller, who may accept or reject such offer in their sole and absolute discretion.

AGENCY The Harritt Group is acting exclusively as agents for the seller.

MULTI-PAR AUCTION METHOD

The **multi-parcel auction method** is used when selling two or more tracts of real property at auction. First offering each tract individually, and then in various combinations. Final sales price is determined by the combination which realizes the highest total bid.

MULTI-PAR EXAMPLE

THE AUCTION IS BROKEN DOWN INTO ROUNDS

* ROUND ONE - EXAMPLE

| TRACT | ACRES | BID | BIDDER |
|--------------|-------|------------------|--------|
| 1 | 5 | \$25,000 | 5 |
| 2 | 10 | \$50,000 | 20 |
| 3 | 30 | \$150,000 | 9 |
| TOTAL | | \$225,000 | |

ROUND ONE: ALL TRACTS INDIVIDUALLY

In Round One, the tracts are auctioned off one at a time until each tract has a high bidder. You must be prepared to own any single tract if you are the high bidder in this round - any posted bid could be back in the winning position any time during the auction.

* ROUND TWO - EXAMPLE

| TRACT | ACRES | BID | BIDDER |
|--------------|-------|------------------|--------|
| 1 & 2 | 15 | \$76,000 | 5 |
| 3 | 30 | \$150,000 | 9 |
| TOTAL | | \$226,000 | |

ROUND TWO & BEYOND: BIDDER'S CHOICE

In order for bidding to continue, the overall total of the current round must exceed the previous round by a minimum of \$1,000.

The auction bidders determine the combinations and continue as long as the overall value increases.

HELPFUL TIPS

- Bid only on the tracts that you want to own. If you only want multiple tracts, bid in the combination rounds.
- Any posted bid is considered active and could be back in winning position any time during the auction.
- Don't wait to bid at the end - prices will not go down.
- Prior to the auction, determine your auction strategy - what you want to buy and how much you can spend.
- Consult with Harritt Group staff to help with bidding strategy or math before/during the auction.



TRACT #1

51.28 ACRES HOME / BARN

Alvey Lane via Easement

ACCESS: 50' Easement *

HOME: 1,344 square foot 2 bedroom-1 bath Bedford stone ranch built 1962 with 1,056 square foot unfinished basement, LP gas heat, wood stove, and well water - home in need of repairs

BARN: 40' x 75' x 10' open implement barn

3 PONDS

* Easement with Road Maintenance Agreement



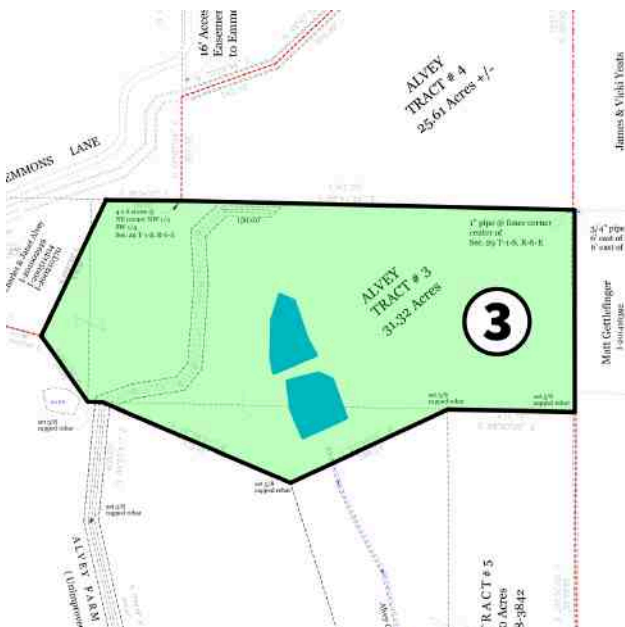
TRACT #2

29.46 ACRES

Alvey Lane via Easement

ACCESS: 50' Easement *

* Easement with Road Maintenance Agreement



TRACT #3

31.32 ACRES

Alvey Lane via Easement

ACCESS: 50' Easement * - Transverses west side and grants access to Tract 4.

2 PONDS

* Easement with Road Maintenance Agreement



TRACT #4

25.61 ACRES

Alvey Lane via Easement

ACCESS: 50' Easement *

ADDITIONAL ACCESS: 16' Easement to Emmons Lane through Indian Creek Tributary

* Easement with Road Maintenance Agreement



TRACT #5

28.20 ACRES

Alvey Lane via Easement

ACCESS: 50' Easement *

* Easement with Road Maintenance Agreement



TRACT #6

7.20 ACRES

Balmer Fenwick Road

ROAD FRONTAGE: 1164'

ADDITIONAL ACCESS: Via 50' Easement *

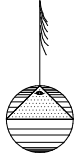
FLOOD ZONE A: May be subject to building limitations

* Easement with Road Maintenance Agreement

SURVEYORS REPORT

1. TRIUMPH LS GPS - INDIANA STATE PLANE EAST ZONE
2. CLASS "3" SURVEY (6.25')
3. DATE OF FIELD WORK: 02/15/2020
4. NO TITLE WORK WAS PROVIDED OR PERFORMED PRIOR TO THIS SURVEY THEREFORE THIS SITE MAY BE SUBJECT TO EASEMENTS OR RESTRICTIONS NOT SHOWN HEREON.
5. THIS IS A RECORD DOCUMENT RETRACEMENT SURVEY OF THE LANDS CONVEYED TO CHARLES & CLARRISSA ALVEY AS DESCRIBED IN 20070794, 20100999, PRIOR AND SURVEYS OF THE SCHMIDT AND BALMER TRACTS WERE USED HEREIN. SET OUT THIS DATE 6 TRACTS AS SHOWN HEREON WITH 5/8 CAPPER REBAR AT ALL NEW CORNERS AND MAG NAILS IN ROADS. FOUND ALL 4 CORNERS OF THE SOUTHWEST QUARTER AS SHOWN.
6. ADJOINING DEED DESCRIPTIONS WERE STUDIED AND NO UNCERTAINTIES WERE FOUND

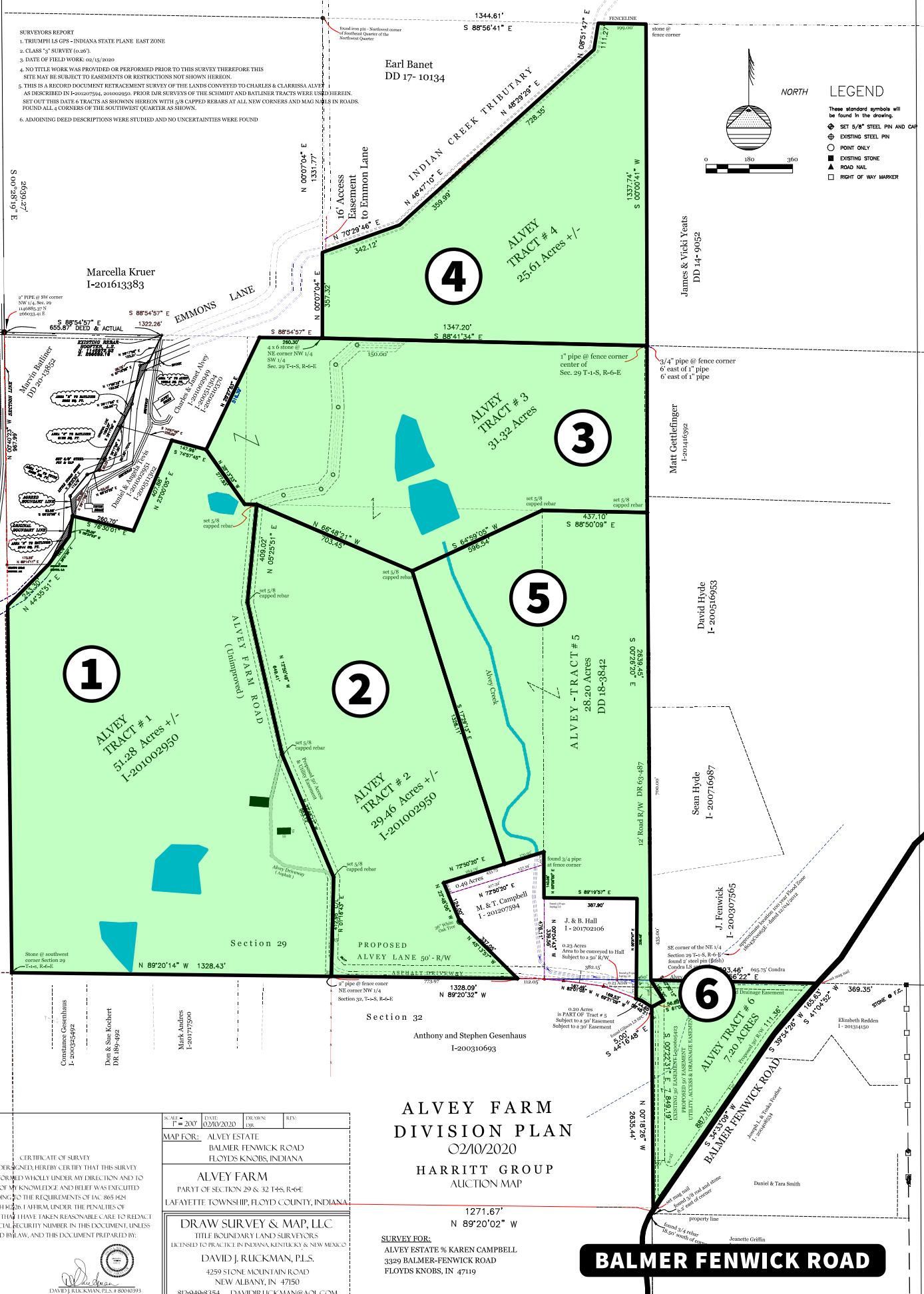
NORTH



LEGEND

- These standard symbols will be found in the drawing.
- SET 5/8" STEEL PIN AND CAP
- EXISTING STEEL PIN
- POINT ONLY
- EXISTING STONE
- ROAD NAIL
- RIGHT OF WAY MARKER

0 180 360



CERTIFICATE OF SURVEY

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED WHOLLY UNDER MY DIRECTION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF WAS EXECUTED ACCORDING TO THE REQUIREMENTS OF IAC 865 H24 THROUGH H26. I AFFIRM, UNDER THE PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT UNLESS REQUIRED BY LAW, AND THIS DOCUMENT PREPARED BY:

David J. Ruckman
DAVID J. RUCKMAN, PLS. # 800393

| | | | |
|--|------------------|-----------|------|
| SCALE: 1" = 200' | DATE: 02/10/2020 | DRAWN BY: | REV: |
| MAP FOR: ALVEY ESTATE BALMER FENWICK ROAD FLOYDS KNOBS, INDIANA | | | |
| ALVEY FARM PARTY OF SECTION 29 & 32 T4S, R6E LAFAYETTE TOWNSHIP, FLOYD COUNTY, INDIANA | | | |
| DRAW SURVEY & MAP, LLC TITLE BOUNDARY LAND SURVEYORS LICENSED TO PRACTICE IN INDIANA, KENTUCKY, & NEW MEXICO | | | |
| DAVID J. RUCKMAN, PLS. 4259 STONE MOUNTAIN ROAD NEW ALBANY, IN 47150 812-949-8354 DAVIDJRUCKMAN@AOL.COM | | | |

**ALVEY FARM
DIVISION PLAN**
02/10/2020
HARRITT GROUP
AUCTION MAP

1271.67'
N 89°20'02" W

SURVEY FOR:
ALVEY ESTATE % KAREN CAMPBELL
3329 BALMER-FENWICK ROAD
FLOYDS KNOBS, IN 47119

BALMER FENWICK ROAD

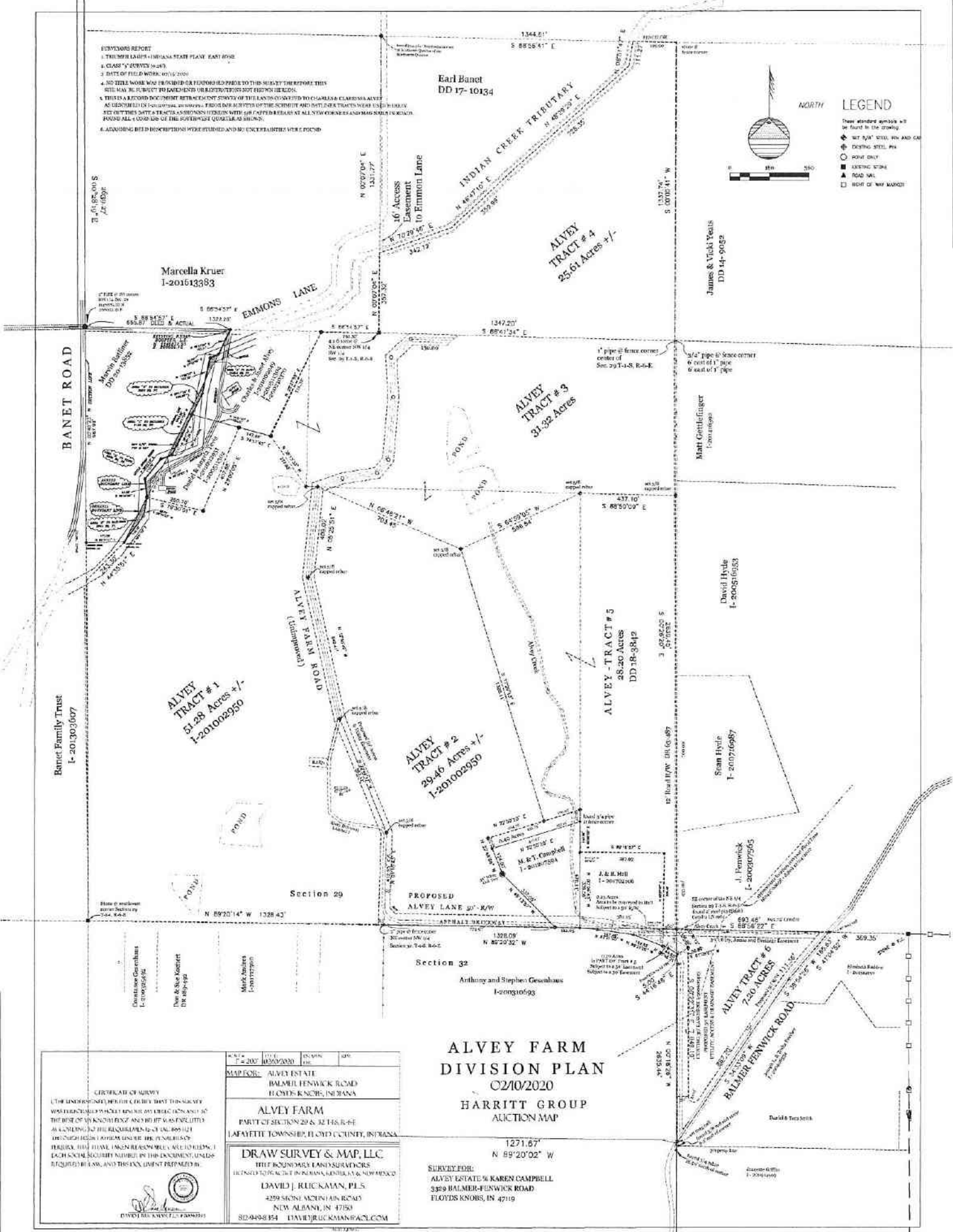
SURVEYORS REPORT
 1. THIS MAP LAYS OUT INDIANA STATE PLANT EAST 8092
 2. CLASS "Y" SURVEY (9-2-03)
 3. DATE OF FIELD WORK: 07/16/2020
 4. NO TITLE WORK WAS PROVIDED OR FURNISHED PRIOR TO THIS SURVEY THEREFORE THIS
 WILL HAVE NO EFFECT ON EXISTING OR FUTURE RIGHTS NOT HEREIN REVEALED.
 5. THERE IS A RECORD DOCUMENT WITH RESPECT TO THE LANDS SURVEYED TO CLARIFY A CLARIFICATION
 AS DESCRIBED IN PARAGRAPHS 20 THROUGH 23 FROM PARAGRAPHS OF THE SCHEMATIC AND DISTRICT TRACTS WERE USED TO DETERMINE
 SET OUT THE DATE A TRACT IS SHOWN WITHIN WITH CAPTIONED RECORD AT ALL NEW CORNERS AND MARKS WERE FOUND
 FOUND ALL A CORNER OF THE SURVEY OR QUANTITY AS SHOWN.
 6. ADDITIONAL FIELD DESCRIPTIONS WERE PROVIDED AND NO UNCERTAINTIES WERE FOUND

LEGEND

These standard symbols will be found in this drawing.

- ◆ 1/4" STEEL PIN AND OR
- ⊕ EXISTING STEEL PIN
- POINT ONLY
- ▲ EXISTING STAKE
- ▲ ROAD NAIL
- RIGHT OF WAY MARKER

NORTH



CERTIFICATE OF SURVEY
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT AND THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF INDIANA. I HAVE TAKEN REASONABLE PRECAUTIONS TO VERIFY THE LOCATION AND POSITION OF EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT UNLESS IT IS A ROAD NAIL AND THIS DOCUMENT IS PREPARED BY

DRAW SURVEY & MAP, LLC
 4259 STATE AVENUE, ROOM 203
 NEW ALBANY, IN 47150
 812-949-8354 | DAVID@RUCKMAN@AOL.COM

DAVID J. RUCKMAN, P.L.S.
 4259 STATE AVENUE, ROOM 203
 NEW ALBANY, IN 47150
 812-949-8354 | DAVID@RUCKMAN@AOL.COM

ALVEY FARM DIVISION PLAN
 02/10/2020
HARRITT GROUP AUCTION MAP

SURVEY FOR:
 ALVEY ESTATE W/ KAREN CAMPBELL
 530 BALMER-FENWICK ROAD
 FLOYDS KNOBS, IN 47119

Anthony and Stephen Gesshaus
 I-20810693

J. Penwick
 I-2002079565

Sean Hyde
 I-200716987

David Hyde
 I-200516953

Matt Gottlefinger
 I-200416953

James & Vicki Yeas
 DD 144-9093

Marcella Krueer
 I-201613383

Barrett Family Trust
 I-201303607

ALVEY TRACT # 1
 51.28 Acres +/-
 I-201002950

ALVEY TRACT # 2
 29.46 Acres +/-
 I-201002950

ALVEY TRACT # 3
 31-32 Acres

ALVEY TRACT # 4
 25.61 Acres +/-

ALVEY TRACT # 5
 48.20 Acres
 DD 18-3842

ALVEY TRACT # 6
 7.20 ACRES

1271.57'
 N 89°20'02" W

Section 29

Section 32

EMMONS LANE

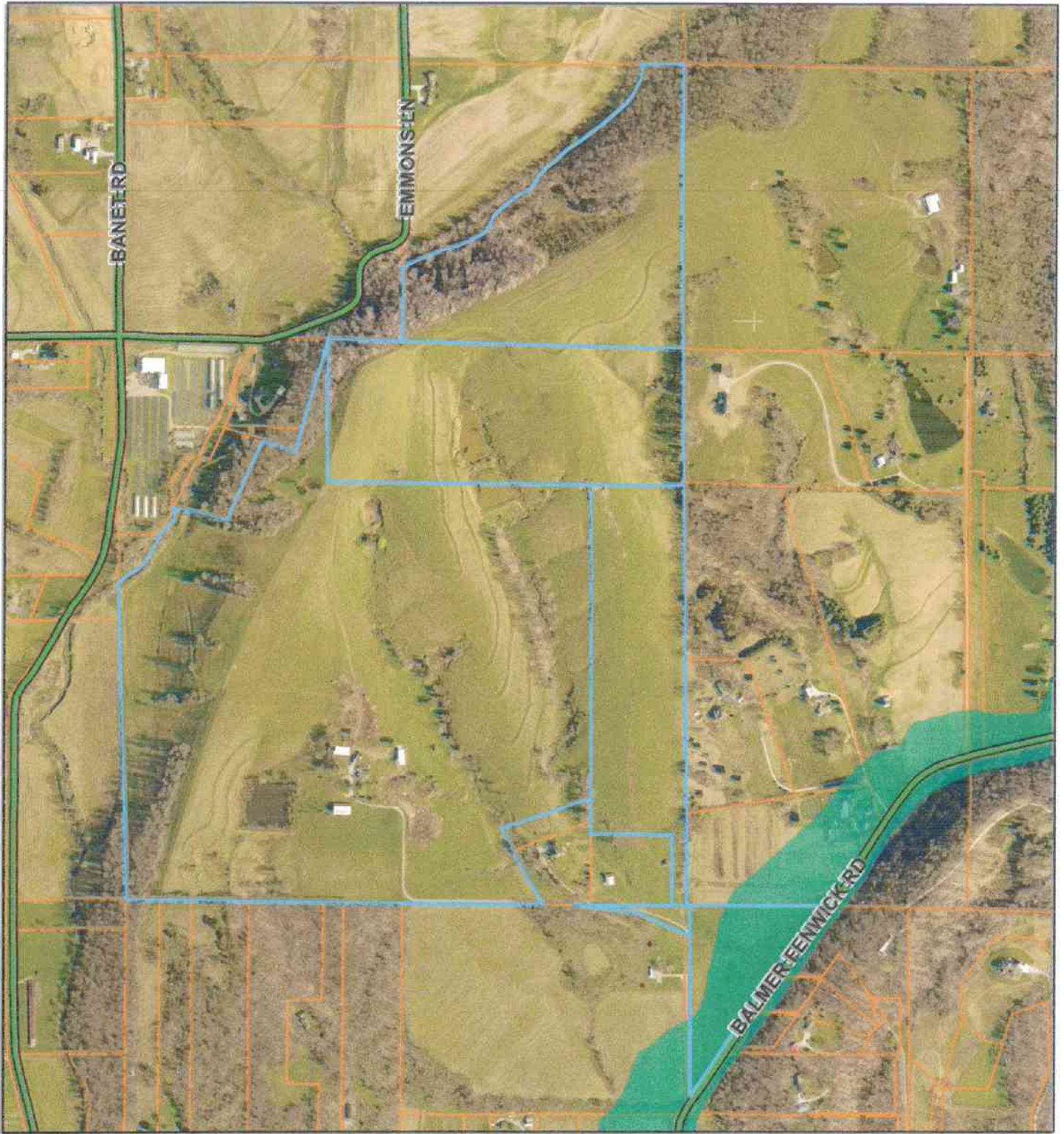
ALVEY FARM ROAD (Completion)

PROPOSED ALVEY LANE 30'-R/W

BALMER-FENWICK ROAD

INDIAN CREEK TRIBUTARY

BANET ROAD



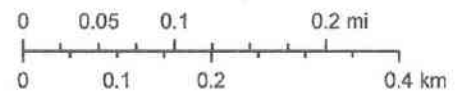
Floodplains (DFIRM)

Flood Zone and Subtype

- A
- AE Fringe
- AE Floodway

- 0.2% Annual Chance Flood Hazard
- Reduced Risk Due to Levee

1:8,000





LEGEND

- Proposed easement
- Proposed road
- Proposed driveway
- Proposed utility
- Proposed fence
- Proposed well
- Proposed pond
- Proposed structure
- Proposed site
- Proposed boundary
- Proposed survey

**ALVEY FARM
DIVISION PLAN
02/23/2020**

ALVEY FARM
PART OF SEC. 29 & 32 T. 8 N. R. 6 E.
LAFAYETTE TOWNSHIP, FLOYD COUNTY, INDIANA

DRAW SURVEY & MAP, LLC
TITLE BOUNDARY LAND SURVEYORS
LICENSED TO PRACTICE IN INDIANA AND NEW YORK

DAVID J. RUCKMAN, PLS.
629 STONE MOUNTAIN ROAD
NEW ALBANY, IN 47150
92-999-8351 DAVID@RUCKMANPAC.COM

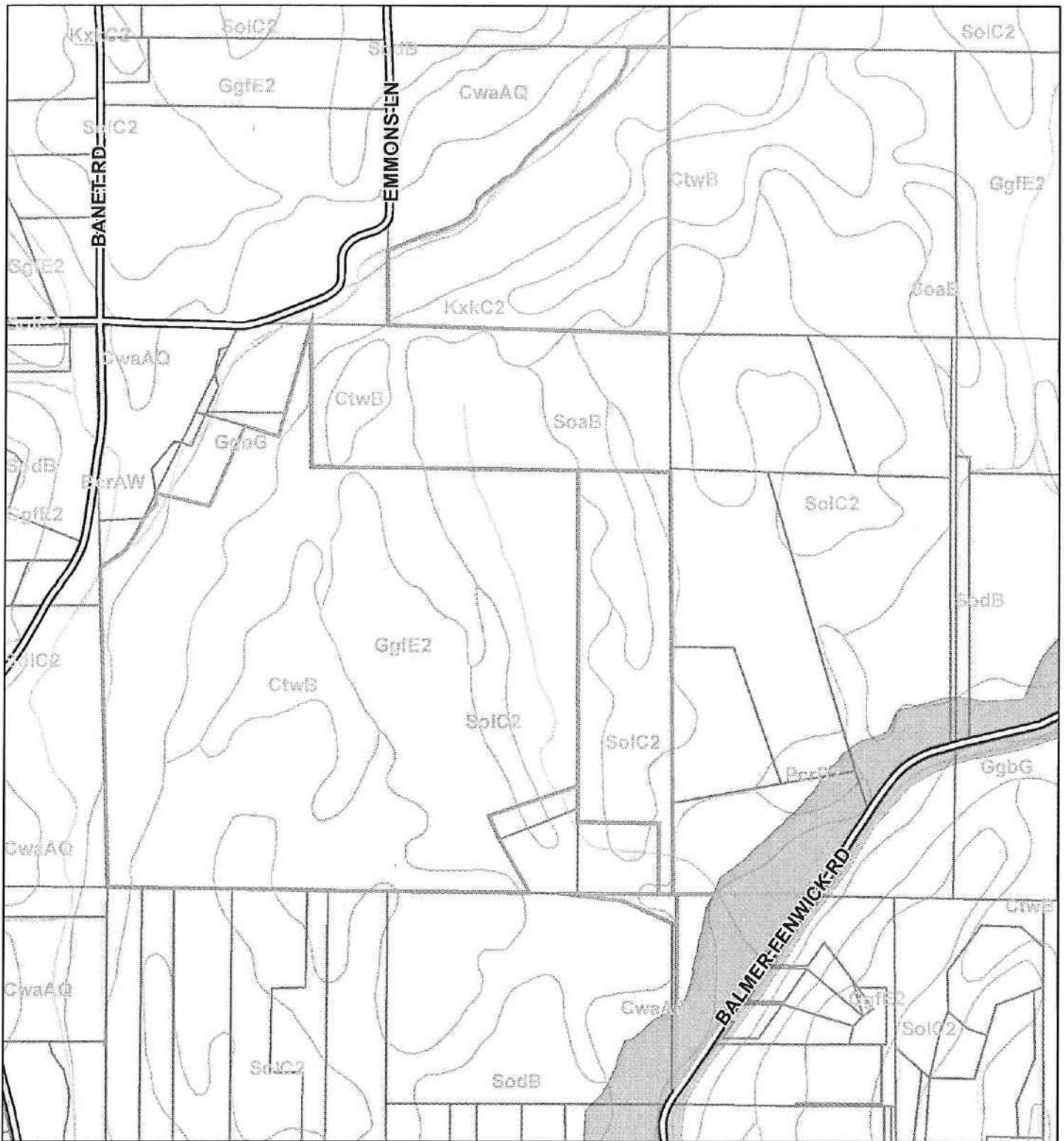
THIS SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY INTERESTS IN THE LAND SURVEYED WHICH WOULD AFFECT THE RESULTS OF THIS SURVEY. THE SURVEYOR HAS ALSO REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY INTERESTS IN THE LAND SURVEYED WHICH WOULD AFFECT THE RESULTS OF THIS SURVEY.

David J. Ruckman, PLS.
Professional Land Surveyor
No. 12345

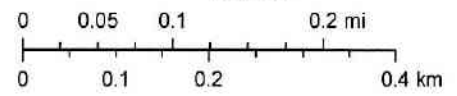
N 89°20'02" W
1271.67'

29

32



1:8,000



Soil (SSURGO)

Client Detail

3324 Balmer Fenwick Road, Floyds Knobs, IN 47119

Listing #: **202006030** Total Finished Sqft: **1,344** Above Grade Finished SqFt: **1,344** Active (02/19/20) **\$0**



| | | | |
|----------------|---|---------------|-----------------------------|
| Prop Type: | Residential/Farm | SubType: | Farm |
| County: | Floyd | Township: | Lafayette |
| Subdivision: | No | School Dst: | New Albany-Floyd Cty |
| Subdiv Nm: | | Parcel#: | 220402900012000006 |
| Beds: | 2 | Lot Sz: | 173 / 7,535,880 |
| Baths: | 1 (1 0) | Lot Size Src: | Survey |
| Abv Grd SF: | 1,344 | Lot Dim: | |
| Tot Fin SF: | 1,344 | Year Built: | 1962 |
| New Const: | No | Annual Tax: | 2,284 |
| Home Warranty: | | Tax Year: | 2018/2019 |
| Land Assess: | 124,600 | DOM: | 1 |
| Improvements: | 96,400 | HOA \$: | / |
| Total Assess: | 221,000 | | |
| Directions: | FROM PAOLI PIKE in downtown Floyds Knobs take Scottsville Road north 3.8 miles to right on Starlight Road. 1.2 miles to right on Roberts Road. Continue 1.2 miles to straight on Banet Road to left on Balmer Fenwick Road. Auction on left. | | |

Legal: **173 Acres Per Survey. Part of Section 29, T1S, R6E & Section 32-T1S, R6E**

| | | | | | |
|-----------------|-----------------|-----------------------|----------------|-----------------------|----------------|
| Tot Deductions: | \$84,360 | <u>Deduction Type</u> | <u>Comment</u> | <u>Deduction Type</u> | <u>Comment</u> |
| | | Supplemental Homestd | \$26,880 | Homestead Standard | \$45,000 |
| | | Disabled | \$12,480 | | |

Remarks

Floyds Knobs 173-Acre Absolute Auction Saturday, March 14 @ 10am. Selling live onsite to the highest bidder choice land in beautiful Floyds Knobs. Offered in 6 contiguous tracts selling multi-par ranging in size from 7 acres to 51 acres. Bid on one tract, a combination of tracts or the entirety. Primarily open and gently rolling land with an expansive countryside view with an elevation of 920', 5 ponds, and potential lake sites. Great homesites, recreational land or farmland. The home has well water and is in need of repairs. Borden Tri-County Water available at Balmer Fenwick Road. 40' x 75' Implement barn. Property has 1164' road frontage in addition to a 50' shared roadway easement with road maintenance agreement. Flood Zone A on Tract 6 only. Additional parcels include 22-04-02-900-007.000-006, 22-04-02-900-014.000-006, 22-04-03-200-034.000-006, 22-04-03-200-087.000-006. See MLS#6032-6037 for individual tract offerings. BUYER'S PREMIUM 10% Buyer's Premium added to the hammer bid price and included in the total purchase price to be paid by the successful bidder(s). REAL ESTATE TERMS 10% Non-refundable down payment due day of auction, balance due in 40 days. Possession at closing. Selling as is without contingencies, all inspections welcomed prior to the auction. TAXES If the property sells in individual tracts the buyer will assume 2021 taxes due 2022. If the property sells to one buyer the taxes will be prorated to the day of closing. OPEN Sunday, March 8, 1-4 pm.

Amenities

| | | | |
|-------------------|---|-------------------|------------------------------|
| Type: | 1 Story | Foundation: | Poured Concrete, Slab |
| Zoning: | Agri/ Residential | Basement: | Yes |
| Construction: | Existing | Basement Type: | Unfinished |
| Outbuildings: | Pole Barn | Laundry: | Yes |
| # Fireplaces: | 1 Fireplace: Insert | Laundry Location: | Basement |
| Tillable Acreage: | 91 Timber Acreage: | Laundry Type: | Other |
| Roof Type: | Shingle | Road Frontage: | 1164' |
| Appliances: | Refrigerator | Pasture Acreage: | |
| Lot Description: | Additional Land Av, Panoramic View | | |
| Exterior Type: | Stone | | |
| Exterior Feat: | Enclosed Porch, Paved Driveway, Ramp, Vinyl Siding | | |
| Interior Feat: | Ceiling Fan(s), Family Room, Natural Wood Trim | | |
| Road Type: | Paved | | |

Measurements

| | | | |
|-----------------------|----------------|----------------------|--------------|
| Above Grade Finished: | 1,344.0 | Nonconform Finished: | 0.0 |
| Above Grade Unfinish: | 0.0 | Nonconform Unfinish: | 0.0 |
| Below Grade Finished: | 0.0 | TFLS: | 1,344 |
| Below Grade Unfinish: | 1,056.0 | | |

Room Sizes & Levels

Total Rooms: **6** Garage: **N** Garage Size: Garage Type: Garage Spaces:

| Type | Dimension | Level | Flooring | Description |
|---------------|-----------|-----------|----------|-------------|
| Living Room | 11.6 x 19 | 1st Floor | Carpet | |
| Kitchen | 13 x 7.6 | 1st Floor | Vinyl | |
| Dining Area | 10.6 x 12 | 1st Floor | Vinyl | |
| Bathroom Full | 7.6 x 9 | 1st Floor | Tile | |
| Bedroom | 11 x 10.6 | 1st Floor | Carpet | |
| Bedroom | 10 x 20 | 1st Floor | Carpet | |
| Family Room | 11 x 23 | 1st Floor | Other | |

Utilities

| | | | |
|----------------|-------------------------------|---------------|--------------------|
| Water Heater: | Electric | Heat Type: | Forced Air |
| Water Type: | Public Available, Well | Cooling Type: | Central Air |
| Natural Water: | Creek, Pond, Well | Fuel Type: | LP Gas |
| Sewer Type: | Septic Onsite | | |

General Information

| | | | |
|--------------------|-------------------|--------------------|------------|
| Possession: | At Closing | Covenants & Restr: | No |
| Flood: | Yes | Sign: | Yes |
| Seller Will Lease: | No | Terms: | No |

Client Detail

Tract 1 Balmer Fenwick Road, Floyds Knobs, IN 47119

\$0

Listing #: **202006032** Total Finished Sqft: **1,344** Above Grade Finished SqFt: **1,344** Active (02/19/20)



| | | | |
|----------------|---|---------------|-----------------------------|
| Prop Type: | Residential/Farm | SubType: | Farm |
| County: | Floyd | Township: | Lafayette |
| Subdivision: | No | School Dst: | New Albany-Floyd Cty |
| Subdiv Nm: | | Parcel#: | 220402900012000006 |
| Beds: | 2 | Lot Sz: | 51.28 / 2,233,757 |
| Baths: | 1 (1 0) | Lot Size Src: | Survey |
| Abv Grd SF: | 1,344 | Lot Dim: | |
| Tot Fin SF: | 1,344 | Year Built: | 1962 |
| New Const: | No | Annual Tax: | 1,569 |
| Home Warranty: | | Tax Year: | 2018/2019 |
| Land Assess: | 86,700 | DOM: | 1 |
| Improvements: | 89,000 | HOA \$: | / |
| Total Assess: | 175,700 | | |
| Directions: | FROM PAOLI PIKE in downtown Floyds Knobs take Scottsville Road north 3.8 miles to right on Starlight Road, 1.2 miles to right on Roberts Road. Continue 1.2 miles to straight on Banet Road to left on Balmer Fenwick Road. Auction on left. | | |

| | | | |
|-----------------|---|------------------------|----------------|
| Legal: | 51.28 Acres per Survey. Part of Section 29, T1S, R6E | | |
| Tot Deductions: | \$84,360 | <u>Deduction Type</u> | <u>Comment</u> |
| | | Supplemental Homestead | \$26,880 |
| | | Disabled | \$12,480 |
| | | <u>Deduction Type</u> | <u>Comment</u> |
| | | Homestead Standard | \$45,000 |

Remarks

Floyds Knobs Home & Land Absolute Auction Saturday, March 14 @ 10am. Selling live onsite to the highest bidder choice land located in beautiful Floyds Knobs. Offered in 6 contiguous tracts selling multi par ranging in size from 7 acres to 51 acres. Primarily open and gently rolling with an expansive countryside view, ponds, and potential lake sites. Great private homesites, recreational land or farmland. Bid on one tract, a combination of tracts or the entirety, TRACT 1 - 51.28 Acres, Bedford stone 2 BR ranch, 40' x 75' implement barn, and 3 ponds. The home has well water and is in need of repairs. Borden Tri-County Water available at Balmer Fenwick Road. 50' shared roadway easement with 2024' access with road maintenance agreement. Taxes part of a larger 93.5-acre parcel. See MLS #202006030 & 6033-6037 for additional land available. BUYERS PREMIUM 10% Buyer's Premium added to the hammer bid price and included in the total purchase price to be paid by the successful bidder(s). REAL ESTATE TERMS 10% Non-refundable down payment due day of auction, balance due in 40 days. Possession at closing. Selling as is without contingencies, all inspections welcomed prior to the auction. TAXES If the property sells in individual tracts the buyer will assume 2021 taxes due 2022. If the property sells to one buyer the taxes will be prorated to the day of closing. OPEN INSPECTION Sunday, March 8, 1-4 pm or call for an appointment.

Amenities

| | | | |
|------------------|---|----------------|------------------------------|
| Type: | 1 Story | Foundation: | Poured Concrete, Slab |
| Zoning: | Agri/ Residential | Basement: | Yes |
| Construction: | Existing | Basement Type: | Unfinished |
| Outbuildings: | Pole Barn | Laundry: | Yes |
| # Fireplaces: | 1 Fireplace: Insert | Laundry Type: | Other |
| Roof Type: | Shingle | Road Frontage: | 0 |
| Appliances: | Refrigerator | | |
| Lot Description: | Additional Land Av, Panoramic View | | |
| Exterior Type: | Stone | | |
| Exterior Feat: | Enclosed Porch, Paved Driveway, Ramp, Vinyl Siding | | |
| Interior Feat: | Ceiling Fan(s), Family Room, Natural Wood Trim | | |
| Road Type: | Paved | | |

Measurements

| | | | |
|-----------------------|----------------|----------------------|--------------|
| Above Grade Finished: | 1,344.0 | Nonconform Finished: | 0.0 |
| Above Grade Unfinish: | 0.0 | Nonconform Unfinish: | 0.0 |
| Below Grade Finished: | 0.0 | TFLS: | 1,344 |
| Below Grade Unfinish: | 1,056.0 | | |

Room Sizes & Levels

| | | | | | | | | | |
|---------------|------------------|--------------|-----------------|--------------------|--|--------------|--|----------------|--|
| Total Rooms: | 6 | Garage: | N | Garage Size: | | Garage Type: | | Garage Spaces: | |
| <u>Type</u> | <u>Dimension</u> | <u>Level</u> | <u>Flooring</u> | <u>Description</u> | | | | | |
| Living Room | 11.6 x 19 | 1st Floor | Carpet | | | | | | |
| Kitchen | 13 x 7.6 | 1st Floor | Vinyl | | | | | | |
| Dining Area | 10.6 x 12 | 1st Floor | Vinyl | | | | | | |
| Bathroom Full | 7.6 x 9 | 1st Floor | Tile | | | | | | |
| Bedroom | 11 x 10.6 | 1st Floor | Carpet | | | | | | |
| Bedroom | 10 x 20 | 1st Floor | Carpet | | | | | | |
| Family Room | 11 x 23 | 1st Floor | Other | | | | | | |

Utilities

| | | | |
|----------------|-------------------------------|---------------|--------------------|
| Water Heater: | Electric | Heat Type: | Forced Air |
| Water Type: | Public Available, Well | Cooling Type: | Central Air |
| Natural Water: | Pond, Well | Fuel Type: | LP Gas |
| Sewer Type: | Septic Onsite | | |

General Information

| | | | |
|--------------------|-------------------|--------------------|------------|
| Possession: | At Closing | Covenants & Restr: | No |
| Flood: | No | Sign: | Yes |
| Seller Will Lease: | No | Terms: | No |

Client Detail

Tract 2 Balmer Fenwick Road, Floyds Knobs, IN 47119

Listing #: 202006033

\$0

Active (02/19/20)



| | | | |
|--------------------|--------------------------|---------------------|---------------------|
| Prop Type: | Vacant Land | Lot Sz: | 1,283,277.60 |
| County: | Floyd | Lot Sz Src: | Survey |
| Subdiv: | No | DOM: | 1 |
| Township: | Lafayette | Lot Dim: | |
| Acres: | 29.4600 | Irreg. Dim: | |
| Zoning: | Agri/ Residential | Annual Tax: | 1,569 |
| Outbuildings: | | Tax Year: | 2018/2019 |
| Mobile/Modular: | | Land Assess: | \$86,700 |
| Wooded YN: | No | Improvements: | \$89,000 |
| Exempt: | 84,360 | Total Assess: | \$175,700 |
| Road Type: | Paved | Timber Acreage: | |
| Road Frontage: | 0 | Pasture Acreage: | |
| HOA: | | Possible Financing: | Other |
| Financing Comment: | No Comments | | |

Parcel#: 220402900012000006

Lot Description: **Additional Land Av, Scenic View**

Legal: **29.46 Acres per Survey. Part of S29-T1S-R6E**

Directions: **FROM PAOLI PIKE in downtown Floyds Knobs take Scottsville Road north 3.8 miles to right on Starlight Road. 1.2 miles to right on Roberts Road. Continue 1.2 miles to straight on Banet Road to left on Balmer Fenwick Road. Auction on left.**

84,360

Remarks

Floyds Knobs Absolute Land Auction Saturday, March 14 @ 10am. Selling live onsite to the highest bidder choice land located in beautiful Floyds Knobs. Offered in 6 contiguous tracts selling multi par ranging in size from 7 acres to 51 acres. Primarily open and gently rolling with an expansive countryside view, ponds, and potential lake sites. Great private homesites, recreational land or farmland. Bid on one tract, a combination of tracts or the entirety. TRACT 2 - 29.46 Acres of unimproved open and rolling farmland. 50' shared roadway easement with 2798' access and maintenance agreement. Taxes based on a larger parcel with home and barn. See MLS #202006030, 202006032 & 6034-6037 for additional land available. BUYERS PREMIUM 10% Buyer's Premium added to the hammer bid price and included in the total purchase price to be paid by the successful bidder(s). REAL ESTATE TERMS 10% Non-refundable down payment due day of auction, balance due in 40 days. Possession at closing. Selling as is without contingencies, all inspections welcomed prior to the auction. TAXES If the property sells in individual tracts the buyer will assume 2021 taxes due 2022. If the property sells to one buyer the taxes will be prorated to the day of closing. OPEN INSPECTION Sunday, March 8, 1-4 pm or call for an appointment.

Utilities

Natural Gas: **No**
 Water Type: **Public Available**
 Sewer Type: **None**

Natural Water:
 Electricity: **No**

General Information

Possession: **At Closing**
 Restrictions: **No**
 Flood: **No**

Seller Will Lease: **No**
 Sign: **Yes**
 Terms: **No**

Client Detail

Tract 3 Balmer Fenwick Road, Floyds Knobs, IN 47119

Listing #: 202006034

\$0

Active (02/19/20)



Prop Type: **Vacant Land**
 County: **Floyd**
 Subdiv: **No**
 Township: **Lafayette**
 Acres: **31.3200**
 Zoning: **Agri/ Residential**
 Outbuildings:
 Mobile/Modular:
 Wooded YN: **No**
 Exempt: **0**
 Road Type: **Paved**
 Road Frontage: **0**
 HOA:
 Financing Comment: **No Comments**

Lot Sz: **1,364,299.20**
 Lot Sz Src: **Survey**
 DOM: **1**
 Lot Dim:
 Irreg. Dim:
 Annual Tax: **157**
 Tax Year: **2018/2019**
 Land Assess: **\$9,800**
 Improvements: **\$0**
 Total Assess: **\$9,800**
 Timber Acreage:
 Pasture Acreage:
 Possible Financing: **Other**

Parcel#: 220402900013000006
 Adj Parc#: 220402900012000006
 Lot Description: **Additional Land Av, Panoramic View**
 Legal: **31.32 Acres per Survey. Part of S29-T15-R6E.**
 Directions: **FROM PAOLI PIKE in downtown Floyds Knobs take Scottsville Road north 3.8 miles to right on Starlight Road. 1.2 miles to right on Roberts Road. Continue 1.2 miles to straight on Banet Road to left on Balmer Fenwick Road. Auction on left.**

Remarks

Floyds Knobs Absolute Land Auction Saturday, March 14 @ 10am. Selling live onsite to the highest bidder choice land located in beautiful Floyds Knobs. Offered in 6 contiguous tracts selling multi par ranging in size from 7 acres to 51 acres. Primarily open and gently rolling with an expansive countryside view, ponds, and potential lake sites. Great private homesites, recreational land or farmland. Bid on one tract, a combination of tracts or the entirety. TRACT 3 - 31.32 Acres of unimproved open and rolling farmland. Great homesite with an elevation of 920 feet and 2 ponds. 50' shared roadway easement with appx. 650' access. Easement transverses the west side of the property and grants access to Tract 4. Taxes based on a smaller 25-acre parcel. See MLS #202006030, 202006032, 202006033 & 6035-6037 for additional land available BUYERS PREMIUM 10% Buyer's Premium added to the hammer bid price and included in the total purchase price to be paid by the successful bidder(s). REAL ESTATE TERMS 10% Non-refundable down payment due day of auction, balance due in 40 days. Possession at closing. Selling as is without contingencies, all inspections welcomed prior to the auction. TAXES If the property sells in individual tracts the buyer will assume 2021 taxes due 2022. If the property sells to one buyer the taxes will be prorated to the day of closing. OPEN INSPECTION Sunday, March 8, 1-4 pm or call for an appointment.

Utilities

Natural Gas: **No**
 Water Type: **Public Available**
 Sewer Type: **None**
 Natural Water: **Pond**
 Electricity: **No**

General Information

Possession: **At Closing**
 Restrictions: **No**
 Flood: **No**
 Seller Will Lease: **No**
 Sign: **Yes**
 Terms: **No**

Client Detail

Tract 4 Balmer Fenwick Road, Floyds Knobs, IN 47119

Listing #: 202006035

\$0

Active (02/19/20)



| | | | |
|--------------------|--------------------------|---------------------|---------------------|
| Prop Type: | Vacant Land | Lot Sz: | 1,115,571.60 |
| County: | Floyd | Lot Sz Src: | Survey |
| Subdiv: | No | DOM: | 1 |
| Township: | Lafayette | Lot Dim: | |
| Acres: | 25.6100 | Ireg. Dim: | |
| Zoning: | Agri/ Residential | Annual Tax: | 116 |
| Outbuildings: | | Tax Year: | 2018/2019 |
| Mobile/Modular: | | Land Assess: | \$7,300 |
| Wooded YN: | Yes | Improvements: | \$0 |
| Exempt: | 0 | Total Assess: | \$7,300 |
| Road Type: | Paved | Timber Acreage: | |
| Road Frontage: | 0 | Pasture Acreage: | |
| HOA: | | Possible Financing: | Other |
| Financing Comment: | No Comments | | |

Parcel#: 220402900007000006
 Lot Description: **Additional Land Av, Panoramic View**
 Legal: **25.61 Acres per Survey, SE 1/4 NW 1/4 29-1-6.**
 Directions: **FROM PAOLI PIKE in downtown Floyds Knobs take Scottsville Road north 3.8 miles to right on Starlight Road. 1.2 miles to right on Roberts Road. Continue 1.2 miles to straight on Banet Road to left on Balmer Fenwick Road. Auction on left.**

Remarks

Floyds Knobs Absolute Land Auction Saturday, March 14 @ 10am. Selling live onsite to the highest bidder choice land located in beautiful Floyds Knobs. Offered in 6 contiguous tracts selling multi par ranging in size from 7 acres to 51 acres. Primarily open and gently rolling with an expansive countryside view, ponds, and potential lake sites. Great private homesites, recreational land or farmland. Bid on one tract, a combination of tracts or the entirety. TRACT 4 - 25.61 Acres of unimproved open and wooded land. Private homesite with wooded hillside acreage that falls to an Indian Creek tributary with 16' easement to Emmons Lane - perfect for offroad vehicles. 50' shared roadway easement with 150' access and maintenance agreement. See MLS# 202006030, 6032-6034 & 6036-6037 for additional land available. BUYERS PREMIUM 10% Buyer's Premium added to the hammer bid price and included in the total purchase price to be paid by the successful bidder(s). REAL ESTATE TERMS 10% Non-refundable down payment due day of auction, balance due in 40 days. Possession at closing. Selling as is without contingencies, all inspections welcomed prior to the auction. TAXES If the property sells in individual tracts the buyer will assume 2021 taxes due 2022. If the property sells to one buyer the taxes will be prorated to the day of closing. OPEN INSPECTION Sunday, March 8, 1-4 pm or call for an appointment.

Utilities

| | | | |
|--------------|-------------------------|----------------|--------------|
| Natural Gas: | No | Natural Water: | Creek |
| Water Type: | Public Available | Electricity: | No |
| Sewer Type: | None | | |

General Information

| | | | |
|---------------|-------------------|--------------------|------------|
| Possession: | At Closing | Seller Will Lease: | No |
| Restrictions: | No | Sign: | Yes |
| Flood: | No | Terms: | No |

Client Detail

Tract 5 Balmer Fenwick Road, Floyds Knobs, IN 47119

Listing #: 202006036

\$0

Active (02/19/20)



Prop Type: **Vacant Land**
 County: **Floyd**
 Subdiv: **No**
 Township: **Lafayette**
 Acres: **28.2000**
 Zoning: **Agri/ Residential**
 Outbuildings:
 Mobile/Modular:
 Wooded YN: **No**
 Exempt: **0**
 Road Type: **Paved**
 Road Frontage: **0**
 HOA:
 Financing Comment: **No Comments**

Lot Sz: **1,228,392.00**
 Lot Sz Src: **Survey**
 DOM: **1**
 Lot Dim:
 Irreg. Dim:
 Annual Tax: **227**
 Tax Year: **2018/2019**
 Land Assess: **\$7,300**
 Improvements: **\$7,400**
 Total Assess: **\$14,700**
 Timber Acreage:
 Pasture Acreage:
 Possible Financing: **Other**

Parcel#: 220402900014000006
 Adl Parc#: 220402900012000006
 Lot Description: **Additional Land Av, Scenic View**
 Legal: **28.20 Acres per Survey, Part of S29-T1S-R6E and S32-T1S-R6E.**
 Directions: **FROM PAOLI PIKE in downtown Floyds Knobs take Scottsville Road north 3.8 miles to right on Starlight Road. 1.2 miles to right on Roberts Road. Continue 1.2 miles to straight on Banet Road to left on Balmer Fenwick Road. Auction on left.**

Remarks

Floyds Knobs Absolute Land Auction Saturday, March 14 @ 10am. Selling live onsite to the highest bidder choice land located in beautiful Floyds Knobs. Offered in 6 contiguous tracts selling multi par ranging in size from 7 acres to 51 acres. Primarily open and gently rolling with an expansive countryside view, ponds, and potential lake sites. Great private homesites, recreational land or farmland. Bid on one tract, a combination of tracts or the entirety. TRACT 5 - 28.20 Acres of unimproved open and rolling farmland. 50' shared roadway easement with 60' access and maintenance agreement. Additional Parcel # 22-04-03-200-087.000-006. Taxes based on a smaller 16.999-acre parcel with past improvements. See MLS #202006030,6032-6035 & 6037 for additional land available. BUYERS PREMIUM 10% Buyer's Premium added to the hammer bid price and included in the total purchase price to be paid by the successful bidder(s). REAL ESTATE TERMS 10% Non-refundable down payment due day of auction, balance due in 40 days. Possession at closing. Selling as is without contingencies, all inspections welcomed prior to the auction. TAXES If the property sells in individual tracts the buyer will assume 2021 taxes due 2022. If the property sells to one buyer the taxes will be prorated to the day of closing. OPEN INSPECTION Sunday, March 8, 1-4 pm or call for an appointment.

Utilities

Natural Gas: **No**
 Water Type: **Public Available**
 Sewer Type: **None**
 Natural Water:
 Electricity: **No**

General Information

Possession: **At Closing**
 Restrictions: **No**
 Flood: **No**
 Seller Will Lease: **No**
 Sign: **Yes**
 Terms: **No**

Client Detail

Tract 6 Balmer Fenwick Road, Floyds Knobs, IN 47119

Listing #: 202006037

\$0

Active (02/19/20)



Prop Type: **Vacant Land**
 County: **Floyd**
 Subdiv: **No**
 Township: **Lafayette**
 Acres: **7.2000**
 Zoning: **Agri/ Residential**
 Outbuildings:
 Mobile/Modular:
 Wooded YN: **No**
 Exempt: **0**
 Road Type: **Paved**
 Road Frontage: **1164'**
 HOA:
 Financing Comment: **No Comments**

Lot Sz: **313,632.00**
 Lot Sz Src: **Survey**
 DOM: **1**
 Lot Dim:
 Ireg. Dim:
 Annual Tax: **199**
 Tax Year: **2018/2019**
 Land Assess: **\$12,400**
 Improvements: **\$0**
 Total Assess: **\$12,400**
 Timber Acreage:
 Pasture Acreage:
 Possible Financing: **Other**

Parcel#: 220403200034000006
 Lot Description: **Additional Land Av**
 Legal: **NW 1/4 NE 1/4 32-1-6 7.20 AC per Survey.**
 Directions: **FROM PAOLI PIKE in downtown Floyds Knobs take Scottsville Road north 3.8 miles to right on Starlight Road. 1.2 miles to right on Roberts Road. Continue 1.2 miles to straight on Banet Road to left on Balmer Fenwick Road. Auction on left.**

Remarks

Floyds Knobs Absolute Land Auction Saturday, March 14 @ 10am. Selling live onsite to the highest bidder choice land located in beautiful Floyds Knobs. Offered in 6 contiguous tracts selling multi par ranging in size from 7 acres to 51 acres. Primarily open and gently rolling with an expansive countryside view, ponds, and potential lake sites. Great private homesites, recreational land or farmland. Bid on one tract, a combination of tracts or the entirety. TRACT 6 - 7.20 Acres of unimproved level farmland located in Flood Zone A and may be subject to building limitations. 1164' road frontage in addition to a 50' shared roadway easement with 849' access with road maintenance agreement. See MLS# 202006030 & 6032-6036 for additional land available. BUYERS PREMIUM 10% Buyer's Premium added to the hammer bid price and included in the total purchase price to be paid by the successful bidder(s). REAL ESTATE TERMS 10% Non-refundable down payment due day of auction, balance due in 40 days. Possession at closing. Selling as is without contingencies, all inspections welcomed prior to the auction. TAXES If the property sells in individual tracts the buyer will assume 2021 taxes due 2022. If the property sells to one buyer the taxes will be prorated to the day of closing. OPEN INSPECTION Sunday, March 8, 1-4 pm or call for an appointment.

Utilities

Natural Gas: **No**
 Water Type: **Public Available**
 Sewer Type: **None**
 Natural Water:
 Electricity: **No**

General Information

Possession: **At Closing**
 Restrictions: **No**
 Flood: **Yes**
 Seller Will Lease: **No**
 Sign: **Yes**
 Terms: **No**



LEAD-BASED PAINT CERTIFICATION AND ACKNOWLEDGMENT
Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards
(SALES)

For use only by members of the Indiana Association of REALTORS®

PROPERTY ADDRESS: 3324 Balmer Fenwick Rd, Floyds Knobs, IN 47119

LEAD WARNING STATEMENT

Every buyer of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

SELLER'S DISCLOSURE

(a.) Presence of lead-based paint and/or lead-based paint hazards: (check (i) or (ii) below)

- (i) [] Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):
(ii) [X] Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b.) Records and reports available to the seller: (check (i) or (ii) below)

- (i) [] Seller has provided the buyer with all available records and reports including Seller's Residential Real Estate Sales Disclosure form, if applicable, pertaining to lead-based paint and/or lead-based paint hazards in the housing (list and attach documents below):
(ii) [X] Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

BUYER'S ACKNOWLEDGEMENT (initial)

- (c.) [] Buyer has received copies of all information listed above.
(d.) [] Buyer has received the pamphlet Protect Your Family From Lead In Your Home.
(e.) [] Buyer has (check (i) or (ii) below):
(i) [] received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards;
OR
(ii) [X] waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

BROKER'S ACKNOWLEDGMENT (initial)

(f.) [Signature] Broker has informed the seller of seller's obligations under the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852d) and is aware of Broker's responsibility to ensure compliance. (NOTE: where the word "Broker" appears, it shall mean "Licensee" as provided in I.C.25-34.1-10-6.8.)

3324 Balmer Fenwick Rd, Floyds Knobs, IN 47119

(Property Address)

47 **CERTIFICATION OF ACCURACY**

48 The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they
49 have provided is true and accurate.

50
51 This *Certification and Acknowledgment* may be executed simultaneously or in two or more counterparts, each of which shall be
52 deemed an original, but all of which together shall constitute one and the same instrument. The parties agree that this
53 *Certification and Acknowledgment* may be transmitted between them electronically or digitally. The parties intend that
54 electronically or digitally transmitted signatures constitute original signatures and are binding on the parties. The original
55 document shall be promptly delivered, if requested.

56 *Estate of Clarissa Alvey by*
57 *Karen Campbell Personal Rep 2-20-20*

58 SELLER'S SIGNATURE _____ DATE _____
59 *ESTATE OF CLARISSA ALVEY BY*
60 *Karen Campbell Personal Rep*
61 PRINTED _____

BUYER'S SIGNATURE _____ DATE _____
PRINTED _____

63
64 SELLER'S SIGNATURE _____ DATE _____
65
66
67 PRINTED _____

BUYER'S SIGNATURE _____ DATE _____
PRINTED _____

68 *Dyck Alvey* *2-20-20*
69 LISTING BROKER _____ DATE _____

SELLING BROKER _____ DATE _____



Prepared and provided as a member service by the Indiana Association of REALTORS®, Inc. (IAR). This form is restricted to use by members of IAR. This is a legally binding contract, if not understood seek legal advice.
Form #37. Copyright IAR 2020



3324 Balmer Fenwick Rd, Floyds Knobs, IN 47119
(Property Address)

ROADWAY AND UTILITY EASEMENT, AND MAINTENANCE AGREEMENT

This Agreement, made and executed on the dates set forth below by and between the Estate of Clarissa Floretta Alvey (“Alvey”), Marcus L. Campbell and Tammy L. Campbell, husband and wife (“Campbell”), James Anthony Hall and Brianna Renee Hall, husband and wife (“Hall”), and Anthony L. Gesenhues and Stephen P. Gesenhues (“Gesenhues”), each also referred to as “Owner” and collectively as “Owners”.

WITNESSETH

1. That Alvey owns the real estate described in Deeds recorded in Deed Record 148, Page 485, Deed Record 168, Page 463, Deed Record 176, Page 572, Deed Drawer 13, Instrument 9268, Deed Drawer 18, Instrument No. 3842, and as Instrument 200300605 (identified as Alvey Tract #s 1-6 on Exhibit “A” attached hereto), and that the Owner of each Tract shall be an Owner hereunder;

That Campbell owns the real estate described in the Deed recorded as Instrument No. 201207594 (identified as Campbell on Exhibit “A”);

That Hall owns the real estate described in the Deed recorded as Instrument No. 201702106 (identified as Hall on Exhibit “A”);

And that Gesenhues owns the real estate described in the Deed recorded as Instrument No. 200310693 (identified as Gesenhaus (sic) on Exhibit “A”), all as shown in the Office of the Recorder of Floyd County, Indiana.

2. That a private, asphalt roadway known as Alvey Lane runs from Balmer Fenwick Road to the point where it intersects the south end of the Alvey driveway as shown on Exhibit

“A”, crossing the Alvey, Hall, and Campbell parcels, and then continues across Alvey Tract #s 1, 2, and 3 in an unimproved state to the south line of Alvey Tract # 4, described as on Exhibit “A” as Alvey Farm Road, but to be know hereafter as Alvey Lane, which roadways provide and/or will provide a means of ingress and egress for all the Owners.

3. That in order to more clearly define the rights and responsibilities of the Owners, the Owners have entered into this Agreement.

4. That for valuable consideration, the receipt of which is acknowledged, each Owner agrees as follows:

ROADWAY AND UTILITY EASEMENT

5. That Alvey, Campbell and Hall, Grantors, each conveys unto every Owner to this Agreement and their heirs, successors and assigns, agents, servants, guests, tenants, and occupiers, at their will and pleasure at all times hereafter, and in common with each Grantor, a non-exclusive 50’ easement for ingress and egress, and for installation and maintenance of utility connections over the lands of Grantors for the portion of the private road known as Alvey Lane running from its intersection with Balmer Fenwick Road to the Western boundary of the Campbell real estate, all as shown as Exhibit “A”.

6. That Alvey, Grantor, conveys unto the Owners of Alvey Tract #s 1, 2, 3, and 4 and their heirs, successors and assigns, agents, servants, guests, tenants, and occupiers, at their will and pleasure at all times hereafter, and in common with Grantor, a non-exclusive 50’ easement for ingress and egress, and for installation and maintenance of utility connections over the lands of Grantor for the portions of the private roads known as Alvey Lane and Alvey Farm Road, running from the Western boundary of the Campbell real estate and continuing to the

South property line of Alvey Tract #4, all as shown as Exhibit "A".

7. That these easements shall run with the title to the land of such Grantors, for the benefit of such Owners.

8. That Alvey, Campbell and Slusher hereby terminate the Roadway Maintenance Agreement entered by and between them on July 26, 1991, referenced in documents recorded as Instrument #200605423, Instrument #201207594, and Instrument #201702106.

MAINTENANCE AGREEMENT

9. That Owners shall equally pay the expense of all reasonable and necessary maintenance and repairs required to maintain that portion of Alvey Lane running from Balmer Fenwick Road to the Western boundary of the Campbell real estate and crossing the Alvey, Hall, and Campbell parcels as shown on Exhibit "A", in the same condition as it exists at this time.

10. That the Owners of Alvey Tract #s 1, 2, 3, and 4 shall share equally in the expense of all reasonable and necessary maintenance and repairs required to maintain that portion of Alvey Lane, running from the Western boundary of the Campbell real estate to the intersection of the South terminus of the Alvey driveway, and shall share equally in the expense of constructing a gravel road, identified on Exhibit "A" as Alvey Farm Road, and the expense of all reasonable and necessary maintenance and repairs required to maintain such gravel road, running from the intersection with the South terminus of the Alvey driveway to the South line of Alvey Tract #4, all as shown on Exhibit "A".

11. That should any Owner fail to pay expenses as required by this Agreement, any non-defaulting Owner enforcing the terms hereof shall be entitled to recover, from the defaulting

Owner, all costs expended, including Court costs and a reasonable attorney fee.

12. That should any Owner divide their parcel or sell off a portion of their parcel, the owners of such newly-created parcels shall be considered to be an Owner hereunder and shall benefit and be obligated under the terms of this Agreement, with the expense obligations imposed under Paragraph 9, and Paragraph 10, if applicable, as if such newly-created parcels had existed on the date of this Agreement.

13. That this Agreement and the covenants contained herein, shall run with the land, binding upon and for the benefit of Owners, and their successors in title.

OPT OUT RIGHTS

14. Recognizing that future Owners of Alvey Tract #'s 3, 4, and 6 may not need access to Alvey Lane, each such Owner shall have the right to opt out of this Agreement by giving written notice to every other Owner. In the event an Owner should elect to opt out of this Agreement, such Owner will have no right to use any portion of the above easements for ingress and egress or for installation and maintenance of any utility connections between their Tract and Balmer Fenwick Road, and such Owner shall have no obligation or duty to pay any share of road maintenance or construction costs as described hereinabove. However, in no case shall an Owner be entitled to reimbursement for any expense paid opting out of this Agreement. In the event an Owner exercises the opt out rights described in this paragraph, the payment obligations of such opting out Owner shall be distributed among the other Owners, as described in Paragraph 9 and Paragraph 10, if applicable.

IN WITNESS WHEREOF, the Owners have hereunto set their hands and seals.

Estate of Clarissa Floretta Alvey

BY: _____
Karen Campbell, Executrix

STATE OF INDIANA)
) SS:
COUNTY OF _____)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Karen Campbell, Executrix of the Estate of Clarissa Floretta Alvey, and acknowledged the execution of the above and foregoing Agreement.

WITNESS my hand and notarial seal this _____ day of _____, 2020.

NOTARY PUBLIC, _____
Resident of _____ County

My Commission Expires:

Marcus L. Campbell

Tammy L. Campbell

STATE OF INDIANA)
) SS:
COUNTY OF _____)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Marcus L. Campbell and Tammy L. Campbell, husband and wife, and acknowledged the execution of the above and foregoing Agreement.

WITNESS my hand and notarial seal this _____ day of _____, 2020.

NOTARY PUBLIC, _____
Resident of _____ County

My Commission Expires:

James Anthony Hall

Brianna Renee Hall

STATE OF INDIANA)
) SS:
COUNTY OF _____)

BEFORE ME, a Notary Public in and for said County and State, personally appeared James Anthony Hall and Brianna Renee Hall, husband and wife, and acknowledged the execution of the above and foregoing Agreement.

WITNESS my hand and notarial seal this _____ day of _____, 2020.

NOTARY PUBLIC, _____
Resident of _____ County

My Commission Expires:

Anthony L. Gesenhues

STATE OF INDIANA)
) SS:
COUNTY OF _____)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Anthony L. Gesenhaus, and acknowledged the execution of the above and foregoing Agreement.

WITNESS my hand and notarial seal this _____ day of _____, 2020.

NOTARY PUBLIC, _____
Resident of _____ County

My Commission Expires:

Stephen P. Gesenhaus

STATE OF INDIANA)
) SS:
COUNTY OF _____)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Stephen P. Gesenhaus, and acknowledged the execution of the above and foregoing Agreement.

WITNESS my hand and notarial seal this _____ day of _____, 2020.

NOTARY PUBLIC, _____
Resident of _____ County

My Commission Expires:

THE PREPARER HAS NOT PERFORMED A TITLE EXAMINATION IN CONNECTION
WITH THIS CONVEYANCE

THIS INSTRUMENT WAS PREPARED BY:
KIGHTLINGER & GRAY, LLP
By: Steven K. Palmquist, Attorney
3620 Blackiston Blvd.
New Albany, IN 47150
(812) 949-2300

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. Steven K. Palmquist

194263\5939434-1