

ORDINANCE 92-1

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, OF DUBOIS COUNTY, INDIANA, THAT:

(1) To prevent damage caused by excess on County Roads during periods of freeze and thaw, the Commissioners do hereby establish a 10 Ton Gross Load (weight) limit on all motor vehicles operated on County Roads within Dubois County, Indiana during the period from January 15, 1992 through April 15, 1992.

(2) Operation of a motor vehicle on any County Road in violation of this Ordinance shall be a Class C infraction, as defined by I.C. 34-4-32-4.

(3) This Ordinance shall become effective upon publication as required by law.

Mary Lou Schnell
Virgil Schnaus
Gilbert Fleck

Board of Dubois County
Commissioners

ATTEST: MARK A. BRESCHER
Auditor

Section 5.

The amounts deposited in the "Pretrial Diversion Program Fund" maintained by the Auditor of Dubois County may be appropriated by the adoption of an ordinance by the fiscal body, for the use by the office of the Dubois County Prosecutor for any purpose specified in such appropriation ordinance adopted by the fiscal body concerning the amounts in the "Pretrial Diversion Program Fund" which are funds in excess of the amount needed to finance the Pretrial Diversion Program services during the calendar year as set forth in I. C. 33-19-8-7.

WHEREUNTO, the Board of Commissioners of the County of Dubois, State of Indiana, have hereunto set their hands this 2 day of March, 1992, at the regular meeting of such board duly convened and held on its second reading.

BOARD OF COMMISSIONERS
COUNTY OF DUBOIS, STATE
OF INDIANA

By:

Mary Lou Schnell
Mary Lou Schnell
President

Virgil U. Schnaus
Virgil U. Schnaus,
Vice-President

Gilbert Fleck
Gilbert Fleck

ATTEST:

Mark A. Brescher
Mark A. Brescher, Auditor
of Dubois County, IN

Indiana, does hereby authorize the Auditor of Dubois County, Indiana, to create and maintain a fund to be known as the Dubois County "Pretrial Diversion Program Fund".

Section 2.

The purpose of the "Pretrial Diversion Program Fund" shall be to provide funds for the financing of the operation and administration of a Pretrial Diversion Program by the Dubois County Prosecuting Attorney's office and to provide any excess funds for use by the Prosecutor's Office according to any ordinance passed by the fiscal body of Dubois County.

Section 3.

The Dubois County Prosecutor's Office is hereby authorized to establish, maintain and administer a Pretrial Diversion Program concerning such misdemeanors and infractions as the Prosecutor shall deem appropriate, including, the setting of terms and conditions of any deferred agreement and the imposition of a deferral program fees consisting of an initial users fee of fifty dollars (\$50.00) and a monthly users fee of \$10.00 for each month that the person remains in the Pre-Trial Diversion Program, as the same may be set by the legislature from time to time, and as is now provided in I. C. 33-19-5-1 and 2.

Section 4.

The Pretrial Diversion Program fees as collected by the Clerk shall be first subject to the payment of monthly claims submitted on oath to the fiscal body of Dubois County by the Pretrial Diversion Program of the Dubois County Prosecutor's Office with all amounts not so appropriated by the fiscal body from the Deferral Program Fees as initially deposited in the County User Fee fund to be deposited by the Auditor of Dubois County, Indiana, into "Pretrial Diversion Program Fund".

4. That I. C. 33-14-1-7 and I. C. 34-4-32-1 provides for the deferral of prosecution for misdemeanors and infractions by the Prosecuting Attorney pursuant to a program administered by the Prosecuting Attorney imposing conditions upon a person charged with a misdemeanor and infraction and for the collection of a fee for such program as provided by law;

5. That the Board of Commissioners of Dubois County, Indiana, is the authorizing body to provide for the establishment of a program by the Prosecuting Attorney of Dubois County, Indiana, and for the collection of fees as set by law by passing an Ordinance establishing the Pre-Trial Diversion Fund.

6. That the Prosecuting Attorney of Dubois County, Indiana, is the appropriate public official to establish, maintain and administer a Pre-trial Diversion Program, including the determination as to which misdemeanors and/or infractions may be deferred, the setting of the conditions for a charged person to complete, and the collection of restitution for victims;

7. That the Clerk of Dubois County, Indiana, is the appropriate public official to collect the fees set by law for such deferred prosecution program and for the transfer of such deferral program fees collected to the Auditor of Dubois County, Indiana for deposit into the County User Fee Fund as set forth in I. C. 33-19-8-5;

8. That the Auditor of Dubois County, Indiana, is the appropriate public officer to establish a "Pretrial Diversion Program Fund" to receive funds initially deposited in the County User Fee Fund.

IT IS THEREFORE ORDAINED AS FOLLOWS:

Section 1.

The Board of Commissioners of Dubois County,

ORDINANCE NO. 92-2

ORDINANCE FOR THE CREATION
OF A PRETRIAL DIVERSION PROGRAM
FOR CERTAIN MISDEMEANOR AND INFRACTIONS
AND ESTABLISHMENT OF A PRETRIAL DIVERSION PROGRAM FUND

WHEREAS, at the request of the Prosecuting Attorney for the 57th Judicial Circuit of the State of Indiana, the Board of Commissioners of the County of Dubois, have been asked to provide for the implementation and collection of fees for a Deferred Prosecution Program to be implemented by the Dubois County Prosecutor's Office in accordance with Indiana Code Section 33-14-1-7, IC 34-4-32-1, and I. C. 33-19-5-1 and 2 and IC 33-19-8-5 and with the guidelines, procedures, rules and regulations adopted by the office of the Prosecuting Attorney.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS makes the following findings:

1. That now and for a number of years the Dubois County Prosecutor's Office has prosecuted certain misdemeanor crimes and infractions which continue to grow in number and volume each year and which will continue to increase in the future;

2. That a large number of such cases involve young adults or first offenders that can be resolved by way of a plea agreement and unsupervised probation with conditions for restitution;

3. That such cases constitute a strain on the resources and time of the Prosecutor's Office as well as serve to congest the court calendars in Dubois County causing delay to other residents of Dubois County who avail themselves of the Courts.

ORDINANCE 1992-3 DUBOIS COUNTY CORRECTIONS FUND

WHEREAS, SEA 395, (1986) ADDED 11-12-6 TO THE INDIANA CODE TO PROVIDE FOR THE ESTABLISHMENT AND FUNDING OF A COUNTY CORRECTIONS FUND; AND

WHEREAS, I.C.11-12-6-6 PROVIDES THAT A COUNTY LEGISLATIVE BODY MAY ANNUALLY ADOPT AN ORDINANCE TO ELECT TO RECEIVE DEPOSITS FROM THE STATE DEPARTMENT OF CORRECTIONS AND TO ESTABLISH A COUNTY CORRECTIONS FUND; AND

WHEREAS, THE COUNTY CORRECTIONS FUND MAY BE USED ONLY FOR FUNDING THE OPERATION OF THE COUNTY JAIL, JAIL PROGRAMS, OR OTHER LOCAL CORRECTIONAL FACILITIES; AND

WHEREAS, THE COUNTY LEGISLATIVE BODY MAY ELECT TO RECEIVE DEPOSITS AT EITHER LEVEL 1, LEVEL 2, OR LEVEL 3 FUNDING; AND

WHEREAS, LEVEL 3 IS THE MOST APPROPRIATE LEVEL OF PARTICIPATION FOR DUBOIS COUNTY; AND

WHEREAS, THE LEGISLATIVE BODY ELECTS TO RECEIVE DEPOSITS FROM THE STATE DEPARTMENT OF CORRECTIONS FOR DAILY PER-DIEM ON STATE PRISONERS HELD AT THE DUBOIS SECURITY CENTER; TO BE DEPOSITED IN THE DUBOIS COUNTY CORRECTIONS FUND; AND

WHEREAS, THE LEGISLATIVE BODY ELECTS TO RECEIVE DEPOSITS FROM INDIANA COUNTIES FOR DAILY PER-DIEM ON BOARDING JUVENILE AND ADULT PRISONERS FROM THEIR RESPECTIVE JURISDICTIONS, AT THE DUBOIS COUNTY SECURITY CENTER; TO BE DEPOSITED IN THE DUBOIS COUNTY CORRECTIONS FUND; AND

WHEREAS, THE COUNTY CORRECTIONS FUND MAY BE USED ONLY FOR FUNDING THE OPERATION OF THE COUNTY JAIL, JAIL PROGRAMS, OR OTHER LOCAL CORRECTIONAL FACILITIES.

WHEREAS, THIS ORDINANCE WILL REPLACE ORDINANCE 1990-1 ON PASSAGE, THEREFORE:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS:

Gilbert Fleck
GILBERT FLECK

Virgil Schnaus
VIRGIL SCHNAUS

Mary Lou Schnell
MARY LOU SCHNELL

ORDINANCE 1992- 4 DUBOIS COUNTY CORRECTION FUND

SECTION 1. THE DUBOIS COUNTY COMMISSIONERS HEREBY ELECTS TO RECEIVE DEPOSITS FROM THE DEPARTMENT OF CORRECTIONS IN ACCORDANCE WITH IC 11-12-6.

SECTION 2. THE DUBOIS COUNTY COMMISSIONERS HEREBY ELECTS TO RECEIVE SUCH DEPOSITS AT LEVEL 3 FUNDING.

SECTION 3. THERE IS HEREBY CREATED A "COUNTY CORRECTIONS FUND", TO BE ADMINISTERED BY THE COUNTY COUNCIL. THE FUND SHALL CONSIST OF DEPOSITS RECEIVED FROM THE DEPARTMENT OF CORRECTION IN ACCORDANCE WITH IC 11-12-6; ALSO DEPOSITS RECEIVED FROM THE DEPARTMENT OF CORRECTIONS FOR DAILY PER-DIEM ON STATE PRISONER (FELONY) HELD AT THE DUBOIS COUNTY SECURITY CENTER; INDIANA COUNTIES FOR DAILY PER-DIEM ON BOARDING PRISONERS FROM THEIR RESPECTIVE JURISDICTIONS, AT THE DUBOIS COUNTY SECURITY CENTER; TO BE DEPOSITED IN THE SAME DUBOIS COUNTY CORRECTIONS FUND; AND

SECTION 4. THE COUNTY CORRECTIONS FUND MAY BE USED ONLY FOR FUNDING THE OPERATION OF THE COUNTY JAIL, JAIL PROGRAMS, OR OTHER CORRECTIONAL FACILITIES. ANY MONIES REMAINING IN A COUNTY CORRECTIONS FUND AT THE END OF THE YEAR DOES NOT REVERT TO ANY OTHER FUND BUT REMAINS IN THE COUNTY CORRECTIONS FUND.

SECTION 5. THIS ORDINANCE WILL REPLACE ORDINANCE 1990-2 ON PASSAGE.

SECTION 6. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE April 6, 1992.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS:

Gilbert Fleck
GILBERT FLECK

Virgil Schnaus
VIRGIL SCHNAUS

Mary Lou Schnell
MARY LOU SCHNELL

ORDINANCE 92-5

AN ORDINANCE ESTABLISHING A SPEED LIMIT
ON A PORTION OF OLD STATE ROAD 64 IN
DUBOIS COUNTY, INDIANA

WHEREAS, Any person operating a motor vehicle on a public highway within Dubois County, Indiana, shall operate the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to traffic, surface and width of roadway, and to other conditions then existing; but,

WHEREAS, It is the determination of the Board of County Commissioners that limits shall be placed upon the maximum speed which shall be allowed when traveling such public highways; and,

WHEREAS, as a result of study conducted and review made of road conditions at the following location, it has been determined that a more restrictive speed limit is required for the safety of the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

(1) Motor vehicles operated on Old State Road 64 from State Road 161 West to County Road 850W, being a distance of approximately 1.5 miles, shall be restricted to a maximum speed of 35 miles per hour.

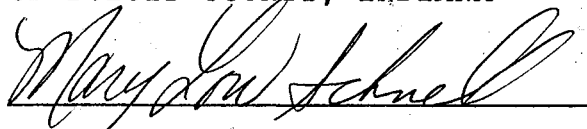
(2) Said public highway shall be posted for such maximum speed limit.

(3) Violation of this Ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to speed limits heretofore adopted by this Board of County Commissioners.

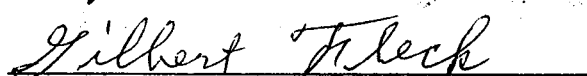
(4) This Ordinance shall be effective from and following its passage and proper posting of the described speed limit.

ADOPTED: May 18, 1992.

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA







ORDINANCE NO. 1992- 6

AN ORDINANCE REGULATING THE DESIGN, CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF PRIVATE SEWAGE DISPOSAL SYSTEMS IN DUBOIS COUNTY, INDIANA; REQUIRING A PERMIT TO INSTALL, REPAIR OR ALTER ANY PRIVATE SEWAGE DISPOSAL SYSTEM AND ESTABLISHING REGULATIONS WITH REGARD TO THE INSTALLATION THEREOF; REQUIRING THE REGISTRATION AND BONDING OF INSTALLERS OF SUCH SYSTEMS; AND FIXING FEES FOR SUCH PERMITS AND REGISTRATIONS AND PENALTIES FOR VIOLATIONS THEREOF.

Section 1. This ordinance shall be administered by the Dubois County Health Department through the Health Officer and his or her authorized representatives. Minimum requirements shall be specified by the Indiana State Department of Health as now provided in its Residential Sewage Disposal Systems Rule 410 IAC 6-8.1, or as the same may be hereafter changed or amended.

Section 2. 410 IAC 6-8.1-31 General sewage disposal requirements. Part (k). Wherever a public sanitary sewer becomes available and is within 200 feet from the residential or business property line served by a private sewage disposal system or privy, situated in Dubois County, Indiana, a direct connection shall be made to the said sewer. Any septic tank, seepage pits, privy pits and similar sewage disposal and treatment facilities shall be abandoned and filled in a safe and sanitary manner.

Section 3. 410 IAC 6-8.1-37 Septic tanks; general requirements. In part shall be amended to read:

Minimum Distance in Feet From	Septic tank, Dosing tank, Lift station	Upslope from absorption field	Downslope from absorption field
Front, side or rear lot lines	10	10	10

Section 4. 410 IAC 6-8.1-52 Subsurface gravity feed trickle flow systems; construction requirements. Part (h) shall read: There shall be a minimum separation of ten (10) feet, on center, between absorption field trenches.

Section 5. Permits to install, registering and bonding of installers, permit and registration fees and inspections.

A. Before commencement of construction of any business building or private residence where a private sewage disposal system or privy is to be installed or where any alteration, repair or addition of an existing private sewage disposal system is planned, the owner or agent of the owner shall first obtain a written permit signed by the Health Officer. The application for such permit shall be made on a form provided by the Dubois County Health Department which application shall be supplemented by any plans, specifications and other information as is deemed necessary by the Health Officer. The application for a permit shall be accompanied by an acceptable plot plan, showing dimensions of the lot and the distances from the sewage disposal system to the dwelling and other pertinent buildings. The plot plans shall show the following:

1. Location of proposed sewage disposal system or changes to existing one.
2. Location of any existing or proposed source of water supply and water lines on property.
3. Location of water supply sources, water service lines, and sewage disposal systems within 100 feet of the proposed system.
4. Completed soil survey evaluation, conducted by a soil scientist, containing any information the soil scientist feel is pertinent to the site.

B. No person shall construct, install, connect, alter or extend a private sewage disposal system within Dubois County, Indiana without first having filed a written application as set forth in this ordinance and having a written permit from the Health Officer.

C. A fee of forty (\$40.00) dollars shall be paid with each application for permit filed with the Dubois County Health Department.

D. A separate permit shall be obtained for sewage disposal work on each dwelling.

E. If the sewage disposal system has not been constructed, installed, altered or extended within one year from the date of issuance, the permit shall automatically expire.

F. The Health Officer shall deny a permit if the information on the application is incomplete, inaccurate or indicates that the provisions of this ordinance cannot be met.

G. The issuance of a permit does not constitute assumption by the Dubois County Health Department or its employees of liability for the failure of any sewage disposal system.

H. The Health Officer shall maintain a register of all persons engaged in or intending to engage in the installation of sewage disposal devices or equipment within Dubois County, Indiana.

I. Any individual, firm, association or corporation engaged in or intending to engage in the installation of sewage disposal devices or equipment shall make application to the Health Officer to have his name placed on the register for those engaged in the installation of sewage disposal devices or equipment. The applicant shall submit an application fee of twenty-five (\$25.00) dollars per calendar year or part thereof. The application form shall contain the name and address of the person making application and the address of the firm or place of business he is associated with, and such information as the Health Officer determines will reasonably aid in the administration and enforcement of this ordinance.

J. Upon acceptance of prospective applicant's registration, registrant shall post a surety bond with the Board of Health, Dubois County, State of Indiana, in the penal sum of not less than one thousand (\$1,000.00) dollars in favor of the Board of Health, conditioned upon registrant's faithful compliance with Rule 410 IAC 6-8.1 and Dubois County Ordinance 1992-

K. Upon recommendation to the Health Officer, the Board may remove the name of any individual, partnership, firm, association or corporation from the register of persons engaged in the installation of sewage disposal devices or equipment who have demonstrated inability or unwillingness to comply with the regulations. Such persons may have his name reinstated on the register of persons engaged in the installation of sewage disposal devices or equipment by the Board of Health after satisfactory demonstration of ability or willingness to comply with the regulations.

L. All fees collected under the terms of this ordinance shall be receipted monthly into the Dubois County Treasury and credited to the Dubois County Health Fund for services rendered in enforcing this ordinance.

M. The permit for a private sewage disposal system shall be posted by the permittee in a conspicuous place at or near the building where the sewage disposal system is under construction. The notice should be plainly visible from the public thoroughfare serving the building.

N. The provisions of the permit for the construction of a private sewage disposal system or privy shall not be considered fulfilled until the installation is completed to the satisfaction of the Health Officer or his agent. The permittee shall notify the Health Officer at least one (1) working day prior to completion of the system for final backfill inspection. Such final inspection is required before any underground portions are covered.

O. The Health Officer or his agent shall be permitted to enter upon all properties at the proper time for purposes of inspection, observation and testing necessary to carry out the provisions of this ordinance.

Section 6. Enforcement Procedures

A. Any person found to be violating any provision of this regulation may be served by the Health Officer with a written order stating the nature of the violation and providing a time limit for satisfactory correction thereof.

B. After receiving an order in writing from the Health Officer, the owner, agent of the owner, the occupant or agent of the occupant of the property shall comply with the provisions of this ordinance as set forth in said order and within the time limit included therein. Said order shall be served on the owner or agent of the owner or the occupant or the agent of the occupant, but may be served on any person who, by contact with the owner, has assumed the duty of complying with the provisions of an order.

Section 7. Penalties

A. Any person found to be violating any provision of this ordinance shall be guilty of a misdemeanor. On conviction, the violator shall be punished for the first offense by a fine of not more than five hundred (\$500.00) dollars; for the second offense by a fine of not more than one thousand (\$1,000.00) dollars; and for the third and each subsequent offense by a fine of not more than one thousand (\$1,000.00) dollars to which may be added imprisonment for any determined period not exceeding ninety (90) days, and each day after the expiration of the time limit for abating insanitary conditions and conditions as ordered by the Health Officer or his agent, shall constitute a distinct and separate offense.

Section 8. Appeals Procedure

A. If an applicant is refused a permit, the administrative authority shall, upon request, afford the applicant a fair hearing in accordance with provisions of IC 4-21.5-3.

B. The administrative authority may, after reasonable notice and opportunity for a fair hearing, in accordance with the provisions of IC 4-21.5-3, revoke a permit for authorizing the construction of a private sewage disposal system if it finds that the holder of the permit has failed to comply with any provisions of this ordinance.

Section 9. Validity

A. If any section, paragraph, sentence, clause, phrase or word of this ordinance, or any part thereof be declared invalid for any reason, the remainder of said ordinance shall not be affected thereby and shall remain in full force and effect.

B. Adoption of this ordinance shall serve to supersede Dubois County Board of Health Ordinance 1991-5.

Section 10. Date of effect

A. This ordinance shall be in full force and effect on the 18 day of May, 1992, upon its adoption and its publication as provided by law.

Virgil Schnaus
Mary Lou Schnell
Gilbert Fleck

Mary Lou Schnell
Virgil Schnaus
Gilbert Fleck

AMENDMENT TO PLAT
OF
SERMERSHEIM'S SUBDIVISION
IN JACKSON TOWNSHIP, DUBOIS COUNTY, INDIANA

Melvin Sermersheim and Georgina M. Sermersheim, being the owners of a majority of Lots located in Sermersheim's Subdivision in Jackson Township, Dubois County, Indiana, the plat of which is dated November 29, 1986, as recorded on December 5, 1986 in Plat Book No. 7, at page 5 (Document #133678) do hereby amend paragraph #3 of the Covenants therein set forth to add thereto and include the following subparagraph:

"D. The minimum living area of a Cape Cod style structure, exclusive of open porches, carport and garages, shall have not less than 1600 square feet."

In all other respects, the undersigned do hereby ratify and confirm said Plat as originally recorded.

IN WITNESS WHEREOF, The undersigned have hereunto set our hands and seals this 20th day of August, 1991.

Melvin Sermersheim
MELVIN SERMERSHEIM

Georgina M. Sermersheim
GEORGINA M. SERMERSHEIM

STATE OF INDIANA)
) SS:
COUNTY OF DUBOIS)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Melvin Sermersheim and Georgina M. Sermersheim, who acknowledged the truth of the statements in the foregoing instrument and the execution thereof to be their voluntary act and deed.

WITNESS, my hand and Notarial Seal this 20th day of August, 1991.

My Commission Expires:

Jan. 15, 1992

Wanda Leisman
WANDA LEISMAN Notary Public
(Printed Name)
Resident of Dubois County, IN

FILED
AUDITOR DUBOIS COUNTY

SEP 3 1991

Basil C. Hunkel

APPROVAL

This Amendment to Plat was approved by the Dubois
County Commissioners as appears from their records the
3 day of ^{Sept.} August, 1991.

Virgil Schnaus
VIRGIL SCHNAUS, COMMISSIONER
Gilbert Fleck
GILBERT H. FLECK, COMMISSIONER
Mary Lou Schnell
MARY LOU SCHNELL, COMMISSIONER

ATTEST:

Basil C. Kunkel
BASIL C. KUNKEL, AUDITOR

FILED
AUDITOR DUBOIS COUNTY

SEP 3 1991

Basil C. Kunkel

CORPORATE WARRANTY DEED

FROM
DUBOIS COUNTY BANK

TO
DUBOIS COUNTY, INDIANA

Send tax statements to:

Return to the law offices of:

159848

CORPORATE WARRANTY DEED

Dubois County Bank, the successor of The
 THIS INDENTURE WITNESSETH, That Dubois County State Bank, an Indiana
 financial institution, by David E. Eckerle, its President and
William R. Hauser, its Cashier ("Grantor"), a corporation organized and exist-

ing under the laws of the State of Indiana CONVEYS AND WARRANTS to
Dubois County, Indiana

of Dubois County, in the State of Indiana, for the
 sum of One Dollar Dollars (\$ 1.00)

and other valuable consideration, the receipt of which is hereby acknowledged, the following described
 real estate in Dubois County, in the State of Indiana:

Part of Lot No. Ninety (90) in the Original Town, now
 City of Jasper, Indiana, more particularly described
 as follows: Commencing at the Southwest corner of said
 Lot No. Ninety (90) and running thence north fifty (50)
 feet to the real estate formerly owned by the Farmers
 and Merchants State Bank of Jasper, thence east seventy-
 five (75) feet, thence south five (5) feet, thence east
 twenty-five (25) feet to the east line of said Lot No.
 90, thence south forty-five (45) feet to the Southeast
 corner of said Lot No. 90, thence west one hundred (100)
 feet to the place of beginning; together with any rights
 to common walls along the north line of said real estate.

(Dubois County Bank is subject to the Financial
 Institutions Tax under Indiana Code Section 6-5.5-1-17(a) (2)
 and, therefore, is exempt from Gross Income Tax under
 Indiana Code Section 6-5.5-5-9-4(a) (1).)

The undersigned persons executing this deed on behalf of Grantor represent and certify that they
 are duly elected officers of Grantor and have been fully empowered, by proper resolution of the Board of
 Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey
 the real estate described herein; and that all necessary corporate action for the making of such
 conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 17TH

day of September, 19 91

DUBOIS COUNTY BANK

(Name of Corporation)

(SEAL) ATTEST

By

William R. Hauser

Signature

WILLIAM R. HAUSER, CASHIER

Printed Name, and Office

STATE OF INDIANA

COUNTY OF DUBOIS

SS:

By

David E. Eckerle

Signature

DAVID E. ECKERLE, PRESIDENT

Printed Name, and Office

Before me, a Notary Public in and for said County and State, personally appeared David E. Eckerle

and William R. Hauser

President

and Cashier

, respectively of

Dubois County Bank

, who acknowledged

execution of the foregoing Deed 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 17TH day of September, 19 91

My Commission Expires

Sept. 1, 1992

Signature

Arthur C. Nordhoff, Jr.

Printed

Arthur C. Nordhoff, Jr.

, Notary Public

Residing in Dubois

County, Indiana

This instrument was prepared by

Arthur C. Nordhoff, Jr

attorney at law.

Received for Record Sept 30 1991 at 3:15 PM
 AMBROSE C. BUECHLEIN, Recorder, Dubois County
 Book 215 Page 202 Fee n.c.

165355

BEFORE THE
BOARD OF COMMISSIONERS,
DUBOIS COUNTY, INDIANA

ORDINANCE VACATING ALLEY

Ordinance No. 1992-7

Joseph Blaize and Ellen Blaize, having petitioned the Board of Commissioners, Dubois County, Indiana, to vacate an alley in the unincorporated Town of Portersville, Indiana, and the Commissioners being duly advised, find as follows:

1. Notice of the filing and hearing on the petition was published in the Dubois County Herald on the 26th day of June, 1992.
2. All property owners whose property adjoin the alley sought to be vacated have been given due notice of the filing of such petition by Certified, United States Mail, Return Receipt Requested.
3. No remonstrators have appeared opposing the petition to vacate such alley.
4. The alley sought to be vacated runs west from Main Street (Portersville Road) in the Town of Portersville, Indiana, a distance of approximately 104.6 feet between Lots No. 28 and 29, which lots are shown as Parcels No. 422 and 421, respectively, in the Plat Book maintained in the Dubois County Auditor's Office.
5. Such alley is presently not being used as a means of ingress and egress by any person.

THEREFORE, upon motion duly made by Gilbert H. Fleck, and seconded by Virgil U. Schnaus, and unanimously carried:

BE IT RESOLVED by the Board of Commissioners for Dubois County, Indiana, that an alley in the Town of Portersville, Indiana, lying between Lots No. 28 and 29, which lots are shown as Parcels No. 422 and 421, respectively, in the Plat Book maintained in the Dubois County Auditor's Office, extending west from Main Street (Portersville Road) a distance of 104.6 feet be, and the same is hereby, vacated. DATED this 6th day of July, 1992.

BOARD OF COUNTY COMMISSIONERS,
DUBOIS COUNTY, INDIANA,

Mary Lou Schnell
Mary Lou Schnell, President

Virgil U. Schnaus
Virgil U. Schnaus

Gilbert H. Fleck
Gilbert H. Fleck

ATTEST:

Mark A. Brescher
Mark Brescher, Auditor,
Dubois County, Indiana

Duly entered this
7th day of July...1992
Mark A. Brescher
Auditor Dubois County

Received for Record July 7 1992 at 9:00 PM
AMBROSE C. BUECHLEIN, Recorder, Dubois County
Book 89 Page 293 Fee N.C.

STATE OF INDIANA)
) SS:
COUNTY OF DUBOIS)

BEFORE THE BOARD OF COUNTY
COMMISSIONERS OF DUBOIS COUNTY,
INDIANA

IN THE MATTER OF THE PETITION
FOR THE IMPROVEMENT OF COUNTY
ROAD 850 WEST IN PATOKA TOWNSHIP,
DUBOIS COUNTY, INDIANA

PETITION

The undersigned, being the fee simple owners of all of the taxable real estate that lies adjacent to the County Road hereinafter described, for their petition to the Board of the County Commissioners of Dubois County, Indiana, respectfully represent and show the Commissioners as follows:

1. That County Road 850 West is an existing County highway located in Patoka Township of Dubois County, Indiana, a portion of said County highway is described as follows:

Beginning at the intersection of said County Road with State Road 64 located in Section 34, Township 2 South, Range 6 West, running thence in a southerly direction to said County Road's intersection with the entrance road to Lake Helmerich Village;

2. That the above portion of said County Road is a heavily traveled road that is used as a school bus route, rural mail route and the primary route to the entrance of Lake Helmerich Village, a private recreational area containing over 700 privately owned lots.

3. That said County Road is currently in a state of serious disrepair and it would be of great public utility if the above described portion of County Road 850 West were improved with blacktop or bituminous material.

4. The undersigned being the owners of the real estate that lies adjacent to the above described portion of said County Road, hereby agree to give, grant and dedicate 25 feet on either side of the centerline of said portion of County Road 850 West in the Dubois County highway system, so that a total of width of 50 feet is granted for the public right-of-way of said County Road 850 West at that location, the same to be used for public road purposes and for such public utilities as may be approved by the Board of County Commissioners.

5. The above described right-of-way on said properties shall be granted only if the road is improved with additional blacktop or bituminous material.

WHEREFORE, the undersigned do hereby petition the Board of the County Commissioners of Dubois County for the improvement of the above described County Road, and if such improvement to the County

Road is approved, the undersigned agree to grant and dedicate the above described right-of-way for such County Road to Dubois County, Indiana.

DATED as of the 9 day of July, 1992.

Orval J. Katterhenry
ORVAL J. KATTERHENRY

Ruby Katterhenry
RUBY KATTERHENRY

Jerry L. Boatright
JERRY L. BOATRIGHT

Betty J. Boatright
BETTY J. BOATRIGHT

Roy Brockriede
ROY BROCKRIEDE and for
Lucille Brockriede, Deceased

Eldon Jack Kamman
ELDON JACK KAMMAN

Nina Kamman
NINA KAMMAN

James E. Meyer
JAMES E. MEYER

Laverne A. Meyer
LAVERNE A. MEYER

Wilfred R. Kamman
WILFERD R. KAMMAN a/k/a
WILFRED KAMMAN

Zona Kamman
ZONA KAMMAN

WILFRED KAMMAN, being first duly sworn upon his oath, states that he has circulated the foregoing Petition; that all signatures appearing thereon were signed in his presence or were submitted to him by the signatory and are the true and lawful signatures of the persons signing the same.

Wilfred Kamman
WILFRED KAMMAN

SUBSCRIBED AND SWORN to before me, a Notary Public in and for said County and State, this 9 day of July, 1992.

My Commission Expires:
3-17-96

Linda A. Beckm
Linda A. Beckm, Notary Public
Residing in Dubois County

THIS INSTRUMENT WAS PREPARED BY:
WILLIAM S. LETT, ATTORNEY
SCHNEIDER LETT & SHANEYFELT
427 FOURTH STREET, P.O. BOX 193
HUNTINGBURG, IN 47542