

The Santa Claus Town Council & Santa Claus Park Board met in regular session on October 12, 2020 at the Santa Claus Town Hall located at 90 N Holiday Blvd Santa Claus, In.

The meeting was called to order by President Michael Johannes at 5:30 pm.

Pledge of Allegiance

Town Council Present: Jason Little, Kevin Burke, Michael Johannes, Patricia Vaal, & Seth Windell
Also, Present: Clerk-Treasurer; Kelly Greulich, Town Attorney; Kevin Patmore, Fire Chief; Max Meyer, Park Director; Zach Tischendorf, Building Inspector; Todd Hays & Police Chief; James Faulkenburg.

Jason Little made a motion for the 2nd reading and adoption of ORDINANCE 2020-09 NOTICE TO TAX PAPERS OF THE 2021 TOWN OF SANTA CLAUS BUDGET IN THE AMOUNT OF \$2,081,257.00 AS STATED BELOW and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion: Carried

The estimated civil maximum levy is \$ 884,870.00 and the estimated the net assessed value is \$ 148,229,899

212 FUND Riverboat-\$ 20,000.00

101 FUND General - \$ 816,037.00 CT, PZ, POLICE, FIRE & SCCC Tax Rate 0.4114

223 FUND Rainy Day-\$ 250,000.00

202 FUND LRS- \$ 3,045.00

201 FUND MVH- \$ 83,175.00

204 FUND Recreation- \$ 146,000.00 Tax Rate 0.0864

214 FUND Police/Town Marshal Special-\$ 2,500.00

233 FUND Law Continuing Ed- \$ 1,500.00

239 FUND User Deferral Program- \$ 1,000.00

474 FUND TIF A & C- \$ 250,000.00

475 FUND TIF Industrial- \$ 10,000.00

444 FUND LIT/CEDIT- \$ 300,000.00

473 FUND Redevelopment Commission- \$ 3,000.00

408 FUND Industrial Development- \$ 25,000.00

219 FUND SC Trails Construction- \$ 10,000.00

The total amount for the cum funds is \$ 160,000.00 the Net assessed value in the amount of \$ 174,388,116 for the following funds:

401 FUND Cum Cap Improvements-\$ 25,000.00

402 FUND Cum Cap Development- \$ 50,000.00 Tax Rate .0490

425 FUND Cum Cap Building- \$ 75,000.00 Tax Rate .0167

426 FUND Cum Cap Fire-\$ 10,000.00 .0186 Tax Rate 0.0186

The total tax rate 0.5821

MINUTES:

Seth Windell made a motion to approve August 10, 2020 special minutes as written and Jason Little seconded the motion.

Ayes: All Nays: None Motion: Carried

COMMENTS FROM THE PRESIDENT:

Michael Johannes no comment at this time.

COMMENTS FROM THE FLOOR:

Brent Lockwood was present to voice his concerns about a sewer issue that he has been dealing with since July 25, 2020, sewer backed up in his home that is only 4 years old. The town was called and the gentlemen that came out was very helpful, the second person had a drawing of the area stating this is where the system is and Lockwood stated that drawing isn't correct, the town employee stated to just change it. Lockwood was told to contact a plumber. A lateral was completed and Lockwood was present during the process. Lockwood was told the town's clay pipes had roots coming through them. It was stated to Lockwood that the ferncove fitting had come apart. Lockwood stated he moved in 10 months after the home was built the town has to inspect the sewer line, the sewer line did not require a bore job. Several calls were made to the utility office and no return call. Someone from the town did stop by one day and pour a gallon of what I believe to be copper sulfate in the sewer system. Once again, I called Luthy office on September 9th and was told he would call me back, never heard from him but a gentleman from the sewer department called and said he would be dealing with my concern. Lockwood stated he would like to get answers and clear the matter up otherwise he could contact the office of Indiana Office of Rural Development and IDEM to see their thoughts on the matter. Bettag invoice was paid for by the town of Santa Claus since the blockage was on the town's side of the system.

Russ Luthy stated the drawings are not engineered drawings, they are landmarks, ferncove does not stop the roots. The town has 65 miles of wastewater lines and the infrastructure is failing, the town has for the last several years bid various rehabs by slip lining of wastewater lines to help with the system. It is very costly. The town has been denied grants based on the income per capita in Santa Claus area.

Michael Johannes asked both Luthy and Lockwood if they would be willing to sit down and meet to discuss the concerns that have been brought up tonight. A date was set for October 16, 2020.

Steve Buse Executive Director of Success Trough Mentoring introduced himself he is the pastor of Bethany Church in Spencer County, a program for kids that have fallen off track. We are looking for funding. The program is in its early stages currently the City of Rockport donated \$ 6,000.00 and we are hoping Santa Claus will support us as well. Are there any questions?

Michael Johannes thanked Mr. Buse for coming and the council will take a look at this.

Bids were sent to the following companies for Fire Truck Tires: Best One Tire/Hoosier Bandag-Huntingburg, IN, Dubois County Tire- Jasper, IN, & Raben Tire-Owensboro, KY

Two bids were received Hoosier Bandag in the amount of \$ 2,220.00 & Dubois County Tire in the amount of \$ 3,693.50 for Michelin tire, \$ 3,428.95 for Continental tires.

Seth Windell made a motion to accept the lowest bid pending Max Meyer reviews the bids to make sure they meet the RFP requirements and Jason Little seconded the motion.

Ayes: All Nays: None Motion: Carried

Kelly Greulich stated bids were sent to the following companies for the Glass Enclosure in Townhall: Thomas Glass & More-Tell City, IN, Al's Glass Service-Grandview, IN & Siemers Glass Company-Jasper, IN. There were no bids received

Bids were sent to the following companies for Slip Lining of sewer lines:

Insituform-Indianapolis, IN, Reynolds INC-Orleans, IN, HydroMax-Newburgh, IN & BLD Services LLC-Kenner, LA

One bid was received back from BLD Services LLC base quote lump sum \$ 167,128.00, alternate # 1 \$ 42,978.00, & alternate # 2 price per length of 10 l.f. \$120,000.00, price per foot beyond 10 l.f. \$4,150.00. The work will be completed in 2021.

Seth Windell made a motion to accept the bid for slip lining from BLD Services in the amount of \$ 167,128.00 pending Russ Luthy reviews the bid and it meets the RFP requirements and Jason little seconded the motion.

Ayes: All Nays: None Motion: Carried

FIRE DEPARTMENT:

Max Meyer Report for September

First Responder-8

Fire Alarm-4

Total Activities-12

The BBQ dinners sold out in less than an hour. Medicine Cleanout day will be on October 24th from 8 am until 12 noon.

Patricia Vaal stated the Santa Claus fire department gave out to the children in the elementary schools some really cool stuff and want to thank the department especially this year since field trips are not happening.

PARKS & RECREATION/COMMUNITY CENTERS:

Zach Tischendorf asked the council for approval of an expenditure of \$ 1,800.00 for dirt for the ball fields, Kelly Greulich stated per ordinance the procedure was not followed for RFP's for the dirt. Greulich explained that Jon Goldsberry was in her office and she explained once again the procedure concerning expenditures of \$ 1,500.00 or more. Goldsberry stated the dirt can't be found anywhere else so Goldsberry purchased the dirt from Bosecher Excavating LLC. Greulich stated payment cannot be made unless the council makes a motion to approve payment and paperwork is in order.

Jason Little made a motion to approve the expenditure of \$ 1,800.00 to purchase dirt for the baseball/softball fields pending paperwork and Seth Windell seconded the motion.

Discussion followed about changing the ordinance from \$ 1,500.00 to possibly \$ 3,000.00 or up to \$ 5,000.00. Kevin Patmore stated the ordinances are in place to follow, the council can change the amount but that would require two readings before the amount can be changed.

Ayes: All Nays: None Motion: Carried

Seth Windell made a motion for the 1st reading of ORDINANCE 2020-12 AN ORDINANCE AMENDING SECTION 1.06.360(6) THE TOWN OF SANTA CLAUS, INDIANA CONCERNING PURCHASS BY TOWN EMPLOYEES FROM \$ 1,500.00 TO \$ 5,000.00 and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion: Carried

Greulich stated \$ 5,000.00 is too high from a financial standpoint for the town with no checks and balances.

Seth Windell stated at this time the field at Yellig park is not there yet, possibly will have to be re-sprigged next year and no playing on the field in the spring.

Seth Windell made a motion to approve the final invoice of \$ 29,672.20 to Quality Craft and Jason Little seconded the motion.

Ayes: All Nays: None Motion: Carried

Patricia Vaal stated the floors at the community center look amazing!

Jon Goldsberry thanked Russ Luthy for his help spreading the dirt at the park. There will be volunteer days at the park on October 24th & 25th.

Seth Windell made a motion to approve the 2nd reading and adoption of ORDINANCE 2020-10 AN ORDINANCE AMENDING ORDINANCE 2019-17 adding in 10% will be paid to superintendent of parks for rent and/or fees for any new activities and Patricia Vaal to seconded the motion.

Ayes: All Nays: None Motion carried

Greulich noted it would make more sense to see about setting up a non-reverting fund for the SCCC for the new events/rentals and Zach 10% would come out of that fund. Greulich will check with SBOA.

Greulich stated the next item on the agenda is for clarification; the park board cannot take funds from the park fund 204 and move those funds into the 101950 fund for SCCC maintenance line item. The park/recreation has its own tax rate. The funds will have to come somewhere in the 101950.

Jon Goldsberry stated Matthew Seger last day at the park was 9/21/2020 and DeWeese who won the soffit bid is looking into subcontracting the work because he does not have the time to complete the work at the community center.

BUILDING INSPECTOR

Todd Hays Report for September 1- October 1

Number of Post Hole Inspections	3
Number of ILPS Issued	12
Number of New Permits	9
Number of Footing Inspection	8
Number of Foundation Inspections	2
Number of Plumbing Rough in Inspections	6
Number of Rough in HVAC Inspections	1
Number of Rough in Electric Inspections	2
Number of Vectren Inspections	6
Number of Final Inspections	4
Number of Electrical Permits Issued	0
Number of Gas Inspections	3
Number of General Inspections	9
Number of Framing Inspections	6
Number of 911 Addresses Assigned	0
Waterproofing Foundations Inspection	1
Number of Certificate of Occupancy	0
Number of Concrete Floors/Slabs	4
Number of Basements Poured	1

Miscellaneous: On 9-23-2020 prepared public hearing notice for upcoming BOZA variance hearing for Wards and mailed out letters to adjoining landowners.

Kevin Burke made a motion for the 2nd reading of ORDINANCE 2020-08 AN ORDINANCE RE-ZONING CERTAIN LANDS IN THE TOWN OF SANTA CLAUS, INDIANA and Jason little seconded the motion. Ayes: Little, Burke, Johannes & Vaal Nays: None Abstain: Windell (conflict of interest) Motion carried

Patmore stated all the paperwork is in order concerning the Snowflake Village Resort concerning the town; the certified letters that were received at the town were documents that at this time have not been filed with Spencer County Court. The documents list Dale Hein & William Wampler which both are renters in Santa Claus not landowners. If the documents are filed in the courts both Hein and Wampler do not have any standing in the issue. The next step will be to make a motion by the council to comment to the agreement with Snowflake Village Resort on the agreement that has been drawn up keeping the golf course a golf course even if the property changes hands.

Kevin Burke made a motion to enter into the agreement with Snowflake Village Resort and Jason Little seconded the motion. Ayes: Little, Burke, Johannes & Vaal Nays: None Abstain: Windell (conflict of interest) Motion carried

Kevin Patmore stated the next step for Snowflake Village Resort will be to submit their plans to the Advisory Planning Commission (APC) for approval.

POLICE DEPARTMENT

James Faulkenburg Report for September:

- Off Duty Call Outs- 10
- Citations TOSC-40
- Warnings TOSC-67
- Crash Reports-6
- Vehicle Inspections-10
- Domestic Disturbances-4
- Assist another Department-12
- Medical Emergencies-4
- Disturbances-21
- Theft Reports-4
- Verbal Warnings-0
- Case Reports/Investigations-19
- Warrant Service-2
- Gun Permits-10
- Arrests-5
- Assist Motorist-7

Reserve Hours for the month of September-Rickelman 12, Brown-0, Stout-8, and Jazyk-12.

Faulkenburg stated Ferdinand police department received a grant for body cameras so they are willing to let Santa Claus PD try theirs out and if we like them they are going to give us a real good deal on them.

Brick Oven was broken into over the weekend and if anyone saw anything please contact the police department.

TRAILS:

Russ Luthy Report for September:

The Phase 1 of the SCLD Trail will begin paving this week and should finish by Thanksgiving if the weather cooperates. A typo in the contract for the Eastside Trail will be corrected; will need a motion to have the president of the council to sign waiver for Eastside RoW in the amount of \$ 2,400.00.

Patricia Vaal made a motion for president Michael Johannes to sign the waiver offer for Eastside RoW in the amount of \$ 2,400.00 with the landowner and Seth Windell seconded the motion.

Ayes: All Nays: None Motion: Carried

October 12, 2020 Meeting Report on current Trails in progress from Clerk-Treasurer-

Phase 1 SCLDTRAIL	INDOT 80%	TOSC 20%
Construction Engineering	\$ 87,404.19	\$ 21,851.05
Preliminary Engineering	\$ 295,488.66	\$ 73,872.14
RoW	\$ 11,792.00	\$ 2,948.00
ROW Land	\$ 4,840.00	\$ 1,210.00
Construction of Phase 1	\$ 1,570,346.65	\$ 314,069.33
EASTSIDE TRAIL		
Preliminary Engineering	\$ 195,717.44	\$ 48,428.94
RoW	\$ 9,520.32	\$ 2,380.08
Row Land	\$ 4,664.00	\$ 1,166.00

STREET DEPARTMENT:

Russ Luthy Report for September:

STREET OPEN ACTION ITEMS:

Mowing- Yes

Sign-replace/repair/install- No

Complaints- 0

Street Repairs- Yes

Assist other departments as needed, culvert inspections, monitor CR 850 culvert, tree trimming, vehicle/equipment maintenance repairs, ditch work, road inspections, and pothole repairs.

Luthy stated the dead trees on Main Street are on our list to take care of. Discussed surplus items for auction, possibly a virtual auction in the future.

WASTEWATER:

Russ Luthy Report for September:

No report on the EDA Grant at this time.

PLANT INFORMATION: Treatment September 2020 12.46 MG, September 2019 8.18 MG

Precipitation September 2020 3.6 Inches, September 2019 0.1 Inches

OPEN ACTION ITEMS: Process control testing, plant O & M, explore phosphorus (P) treatment options- testing options on treatment chemical NPDES required. Note: TSC will have to apply for a construction permit. Decant digesters, plant repairs of the clarifier and rotor. Other items on file at WWTP.

COLLECTION SYSTEM: Routine station maintenance checks and lift station repairs/maintenance. Several lateral/video inspections, monitor PSC boring crew in Holiday Village, assist other departments as needed. Other items on file at WWTP.

LATERAL INSPECTIONS: Revolving total lateral inspections-38, New in September-5, COC's completed - 2, requiring repairs-4, no repairs-0, exempt laterals-1.

YEAR TO DATE: Requiring repairs-19, no repairs- 9, exempt-3.

OSHA

Russ Luthy stated no lost time injuries, Facility assessment: 0, Field Assessments: 2- Water Main repair on Evergreen Plaza and Tree Trimming in Holiday Village.

WATER

Russ Luthy Report for September:

Work Orders-Total Received 18

Work Orders Completed-15

Work Orders Pending-3

OPEN ACTION ITEMS:

Monitor boring crew in Holiday Village, begin preparation for water audit. For the water audit Chris Glenn will be the auditor and Luthy will be the validator. Patricia Vaal asked how many meters still need to be replaced, Luthy stated roughly 288 at this time.

INDUSTRIAL PARK:

Nothing to discuss

TOWN ATTORNEY:

Nothing to discuss

CLERK TREASURER:

Kelly Greulich

Update on the website all employees that currently have emails with the town will be given a new email address that will be associated with the town and stored on the cloud along with a few new people that will receive email addresses as well.

MISCELLANEOUS:

Michael Johannes stated Holiday World will start back working on the trail advertisement soon. Johannes stated he has been approached concerning a grant the Santa Claus museum is looking into concerning the restoration of the church. The museum board would like for the town to partner with them by being the pass through, h, possibly in 2022 or 2023. Update on Main Street there is an individual from Arizona interested in 20 acres. The America Christmas Hometown is looking into a firework show to replace the parade this year. A meeting is scheduled for the 16th of this week.

Patricia Vaal asked how the town is going to handle Halloween hours this year, a discussion followed; the town will follow Christmas Lake Village hours from 5 pm -8 pm on the October 31, 2020.

Patricia Vaal asked the council members if the town could look into family insurance with our current agent Danita Grosvenor. It would be a good idea to at least explore the issue to see if it is feasible for the town and employees. Greulich was asked to contact Danita.

VOUCHERS:

Patricia Vaal made a motion to approve general vouchers in the amount of \$ 177,714.20 and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried

Patricia Vaal made a motion to approve wastewater vouchers in the amount of \$ 72,724.26 and Jason Little seconded the motion.

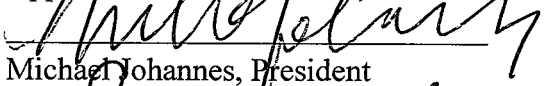
Ayes: All Nays: None Motion carried

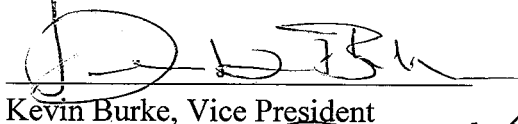
ADJOURNMENT:

Seth Windell made a motion to adjourn the town council meeting at 7:12 pm and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried

Approved on November 23, 2020

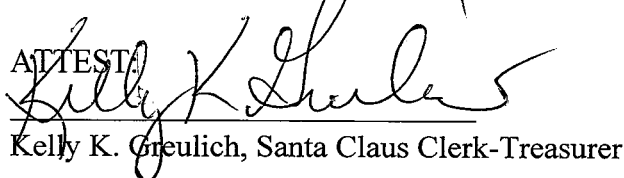

Michael Johannes, President


Kevin Burke, Vice President


Seth Windell, Member


Patricia Vaal, Member


Jason Little, Member

ATTEST:

Kelly K. Greulich, Santa Claus Clerk-Treasurer

ORDINANCE 2020-08

AN ORDINANCE RE-ZONING CERTAIN LANDS IN
THE TOWN OF SANTA CLAUS, INDIANA

WHEREAS, Snowflake Village Holdings, LLC, with the consent of Christmas Lake Golf, LLC, has petitioned for the re-zoning of certain lands within the territorial jurisdiction and geographic area of the Town of Santa Claus, Indiana currently within the R-2 and Agricultural Zoning Districts according to the Zone Maps of the Town; and,

WHEREAS, on August 24, 2020, the Santa Claus Advisory Plan Commission issued its Resolution 2020-01 certifying said request to the Town Council with a favorable recommendation, following public hearing and due notice according to law.

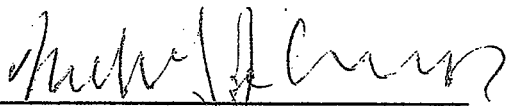
NOW, THEREFORE, be it ordained by the Town Council of the Town of Santa Claus, Indiana, that the request for re-zoning by Snowflake Village, LLC, and hereby is, granted, and the lands described on Exhibit A hereto are rezoned from their current classifications of Low Density Residential -R-2 and Agricultural- Ag to a classification of Planned Unit Development - PUD; and,

BE IT FURTHER ORDAINED that the Zone Maps attached to and made a part of the Zoning Ordinance of the Town of Santa Claus, Indiana be amended to reflect such rezoning.

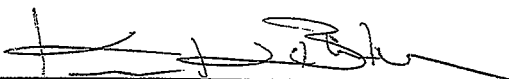
BE IT FURTHER ORDAINED, that this Ordinance is expressly conditioned upon Snowflake Village, LLC and Christmas Lake Golf, LLC entering into and executing the Commitment as recommended by the Town Advisory Planning Commission and attached to the Commission's Resolution Number 2020-01, and the recordation of such Commitment in the Office of the Recorder of Spencer County, Indiana.

PASSED AND ADOPTED by the Town Council of the Town of Santa Claus, Indiana on the 12th day of October, 2020.

SANTA CLAUS TOWN COUNCIL



Michael Johannes President



Kevin Burke



Jason Little



Patricia Vaal

Seth Windell

Abstain

Attest:



Kelly Greulich, Clerk-Treasurer

EXHIBIT A

TRACT I

Tracts of land lying in parts of the South half of Section 1, the West half of Section 12, and the East half and the Southwest quarter of Section 11, all in Township 5 South, Range 5 West, Clay Township, Spencer County, Indiana and being more particularly described as follows:

Beginning at an existing 5/8 inch iron pin found flush with the ground marking the Northeast corner of the Northwest Quarter of Section 12 of said township and range (as shown on the Plat of Santa's Fairway Subdivision, Christmas Lake Village in the Town of Santa Claus and recorded in Plat Book 1, Page 101); thence along the East line of said Northwest Quarter, South 01 degree 17 minutes 00 seconds West, 341.89 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence South 26 degrees 47 minutes 41 seconds West, 172.87 feet to an "iron monument"; thence South 17 degrees 36 minutes 13 seconds West, 420.22 feet to an "iron monument"; thence South 02 degrees 41 minutes 26 seconds West, 505.83 feet to an "iron monument"; thence South 61 degrees 24 minutes 12 seconds East, 196.92 feet to an "iron monument"; thence parallel to the East line of said Northwest Quarter, South 01 degree 17 minutes 00 seconds West, 576.64 feet to an "iron monument"; thence South 55 degrees 39 minutes 12 seconds West, 1014.11 feet to a mag nail set flush with the road surface in Clubhouse Road; thence North 87 degrees 14 minutes 03 seconds West, 1588.95 feet to a railroad spike set flush with the ground; thence South 06 degrees 18 minutes 03 seconds East, 705.35 feet to an "iron monument"; thence South 63 degrees 47 minutes 40 seconds East, 664.83 feet to a found PVC pipe enclosed Steel Post, approximately four feet tall; thence South 45 degrees 05 minutes 00 seconds East, 553.67 feet to a stone marking the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 12; thence along the East line of the West half of the Southwest Quarter of said Section 12, South 00 degrees 18 minutes 13 seconds East, 517.61 feet to a stone; thence South 87 degrees 33 minutes 47 seconds West, 238.00 feet to an "iron monument"; thence North 57 degrees 22 minutes 56 seconds West, 720.94 feet to a 2.5 inch (O.D.) iron post approximately two feet tall; thence North 48 degrees 12 minutes 03 seconds West, 592.90 feet to an "iron monument"; thence South 19 degrees 20 minutes 58 seconds West, 206.54 feet to a stone (found in creek bed approximately 18 inches tall, 12 inches long, 8 inches wide with a carved "x" in top) marking the Southeast corner of the Northeast quarter of the Southeast Quarter of said Section 11; thence along the South line of said quarter-quarter, North 89 degrees 41 minutes 54 seconds West, 1355.66 feet to a stone marking the Southwest corner of said quarter-quarter; thence along the South line of the Northwest Quarter of the Southeast Quarter of said section 11, South 89 degrees 11 minutes 31 seconds West, 1074.90 feet to an "iron monument"; thence North 40 degrees 11 minutes 08 seconds West, 234.00 feet to an "iron monument"; thence North 75 degrees 24 minutes 42 seconds West, 586.00 feet to an "iron monument"; thence South 84 degrees 04 minutes 53 seconds West, 550.00 feet to an "iron monument"; thence North 80 degrees 37 minutes 02 seconds West, 380.00 feet to an "iron monument"; thence North 01 degree 33 minutes 42 seconds East, 498.16 feet to an "iron monument"; thence North 74 degrees 17 minutes 25 seconds East, 862.52 feet to an "iron monument"; thence South 86 degrees 47 minutes 13 seconds East, 381.34 feet to an "iron monument"; thence North 42 degrees 14 minutes 01 second East, 288.93 feet to an "iron monument"; thence North 86 degrees 28 minutes 33 seconds East, 508.25 feet to an "iron monument"; thence South 53 degrees 02 minutes 24

seconds East, 870.04 feet to an "iron monument"; thence North 29 degrees 09 minutes 53 seconds East, 965.58 feet to a mag nail set in the centerline of Clubhouse Road; thence along said centerline, South 54 degrees 38 minutes 38 seconds East, 74.95 feet to a mag nail set; thence North 30 degrees 24 minutes 35 seconds East, 135.82 feet; thence along a curve concave to the Southeast with an arc length of 75.44 feet, a radius of 2600.29 feet and a long chord bearing and distance of North 31 degrees 14 minutes 28 seconds East, 75.44 feet to an "iron monument"; thence South 17 degrees 54 minutes 25 seconds East, 60.41 feet to an "iron monument"; thence South 48 degrees 45 minutes 43 seconds East, 56.06 feet to an "iron monument"; thence South 67 degrees 18 minutes 06 seconds East, 169.78 feet to an "iron monument"; thence North 22 degrees 49 minutes 07 seconds East, 318.52 feet to an "iron monument"; thence North 55 degrees 11 minutes 51 seconds West, 40.40 feet to an "iron monument"; thence North 41 degrees 35 minutes 37 seconds East, 103.73 feet to an "iron monument"; thence North 48 degrees 24 minutes 23 seconds West, 30.00 feet to the East corner of Lot 162-B Carol Hills Subdivision (Plat Book 1, Page 82); thence along said subdivision, North 41 degrees 35 minutes 37 seconds East, 574.83 feet to a 5/8 inch iron pin found; thence continuing along said subdivision, North 46 degrees 26 minutes 43 seconds East, 275.93 feet to a 5/8 inch iron pin found; thence continuing along said subdivision, North 53 degrees 10 minutes 25 seconds East, 399.67 feet to a 5/8 inch iron pin found; thence continuing along said subdivision, North 56 degrees 26 minutes 25 seconds East, 420.00 feet to an "iron monument"; thence continuing along said subdivision, North 41 degrees 01 minute 40 seconds East, 385.24 feet to a 5/8 inch iron pin found; thence continuing along said subdivision, North 49 degrees 34 minutes 08 seconds East, 265.05 feet to a 5/8 inch iron pin found; thence continuing along said subdivision, North 18 degrees 15 minutes 25 seconds West, 75.03 feet to a 5/8 inch iron pin found on the Southerly right-of-way of Balthazar Drive; thence along said southerly right-of-way in a curve concave to the South with an arc length of 110.65 feet, a radius of 820.22 feet and having a long chord bearing and distance of North 74 degrees 57 minutes 39 seconds East 110.56 feet to a 5/8 inch iron pin found; thence continuing along said right-of-way, North 78 degrees 35 minutes 35 seconds East, 310.00 feet; thence continuing along said right-of-way in a curve concave to the South with an arc length of 193.86 feet, a radius of 308.54 feet and a long chord bearing and distance of South 83 degrees 24 minutes 25 seconds East 190.69 feet; thence continuing along said right-of-way in a curve concave to the North with an arc length of 227.93 feet, a radius of 687.34 feet and a long chord bearing and distance of South 74 degrees 54 minutes 25 seconds East 226.89 feet; thence continuing along said right-of-way, South 84 degrees 24 minutes 25 seconds East, 140.96 feet; thence continuing along said right-of-way in a curve concave to the Northwest with an arc length of 733.28 feet, a radius of 411.32 feet and a long chord bearing and distance of North 44 degrees 31 minutes 18 seconds East, 639.96 feet to an "iron monument"; thence North 82 degrees 01 minute 18 seconds East, 94.16 feet to an "iron monument"; thence North 00 degrees 51 minutes 57 seconds East, 344.46 feet to an "iron monument"; thence North 52 degrees 34 minutes 14 seconds West, 215.46 feet to an "iron monument" on the Easterly right-of-way of Balthazar Drive; thence along said right-of-way in a curve concave to the East with an arc length of 225.06 feet, a radius of 2112.94 feet and a long chord bearing and distance of North 02 degrees 30 minutes 04 seconds West, 224.95 feet; thence South 85 degrees 54 minutes 00 seconds East, 48.11 feet to an "iron monument" at the West most corner of Lot 285 of Polar Shores Subdivision (Plat Book 1, Page 105); thence along said subdivision the following courses and distances: South 61 degrees 14 minutes 14 seconds East, 231.08 feet to an "iron monument"; North 69 degrees 26 minutes 16 seconds East, 231.08 feet to a 5/8 inch iron pin found; North 04

degrees 06 minutes 00 seconds East, 120.44 feet to a 5/8 inch iron pin found; South 85 degrees 46 minutes 05 seconds East, 450.19 feet to a 5/8 inch iron pin found; North 66 degrees 03 minutes 28 seconds East, 416.93 feet to a 5/8 inch iron pin found; South 85 degrees 49 minutes 23 seconds East, 388.50 feet to an "iron monument"; thence leaving said subdivision perimeter, South 36 degrees 50 minutes 16 seconds East, 255.46 feet to an "iron monument"; thence South 04 degrees 45 minutes 38 seconds West, 173.03 feet to an "iron monument"; thence South 19 degrees 45 minutes 16 seconds West, 93.77 feet to an "iron monument"; thence South 73 degrees 36 minutes 42 seconds East, 186.13 feet to the centerline of State Road 245 (witness an "iron monument", North 73 degrees 36 minutes 42 seconds West, 26.69 feet); thence along said centerline, South 06 degrees 03 minutes 24 seconds West, 344.27 feet; thence continuing along said centerline, South 09 degrees 31 minutes 50 seconds West, 305.88 feet to a mag nail set; thence North 87 degrees 17 minutes 50 seconds West, 1658.80 feet to the point of beginning, Containing 300.895 acres, more or less.

EXCEPTING THEREFROM, the following described tract:

Beginning at a mag nail set flush in the pavement of Clubhouse Road being North 1368.71 feet and West 181.19 feet from a stone marking the Southeast corner of the Northeast quarter of the Southeast Quarter of said Section 11, thence along said road, South 87 degrees 35 minutes 27 seconds East, 60.00 feet; thence South 02 degrees 24 minutes 33 seconds West, 64.96 feet to a 5/8 inch iron pin found; thence South 24 degrees 00 minutes 48 seconds West, 138.33 feet to a 5/8 inch iron pin found; thence South 06 degrees 17 minutes 39 seconds West, 236.78 feet to a 5/8 inch iron pin found; thence South 53 degrees 18 minutes 26 seconds East, 214.18 feet to a 5/8 inch iron pin found; thence South 21 degrees 12 minutes 35 seconds East, 367.58 feet to a 5/8 inch iron pin found; thence South 06 degrees 01 minute 01 second West, 117.80 feet to a railroad spike found; thence South 86 degrees 21 minutes 18 seconds West, 1463.48 feet to a 5/8 inch iron pin found; thence North 67 degrees 57 minutes 39 seconds West, 387.75 feet to a 5/8 inch iron pin found; thence South 83 degrees 44 minutes 19 seconds West, 553.07 feet to a 5/8 inch iron pin found; thence North 64 degrees 47 minutes 01 seconds West, 430.76 feet to a 5/8 inch iron pin found; thence North 00 degrees 28 minutes 32 seconds East, 141.16 feet to a 5/8 inch iron pin found; thence North 66 degrees 19 minutes 00 seconds East, 220.39 feet to a 5/8 inch iron pin found; thence North 03 degrees 04 minutes 25 seconds West, 178.72 feet to a 5/8 inch iron pin found; thence North 80 degrees 34 minutes 22 seconds East, 208.58 feet to a 5/8 inch iron pin found; thence South 51 degrees 03 minutes 14 seconds East, 654.09 feet to a 5/8 inch iron pin found; thence South 61 degrees 19 minutes 17 seconds East, 279.99 feet to a 5/8 inch iron pin found; thence North 89 degrees 37 minutes 50 seconds East, 230.51 feet to a 5/8 inch iron pin found; thence North 26 degrees 45 minutes 11 seconds East, 439.58 feet to a 5/8 inch iron pin found; thence North 46 degrees 56 minutes 17 seconds East, 240.41 feet to a 5/8 inch iron pin found; thence North 62 degrees 42 minutes 50 seconds East, 300.01 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W. L. Clark 80910013 set flush with the ground and hereon referred to as an "iron monument"; thence South 38 degrees 39 minutes 51 seconds East, 63.22 feet to an "iron monument"; thence South 00 degrees 13 minutes 34 seconds West, 89.43 feet to an "iron monument"; thence South 25 degrees 19 minutes 03 seconds West, 213.16 feet to an "iron monument"; thence South 46 degrees 36 minutes 17 seconds West, 139.84 feet to an "iron monument"; thence South 11 degrees 07 minutes 06 seconds East, 58.46 feet to an "iron monument"; thence South 25 degrees 06 minutes 46 seconds East, 136.78 feet to an "iron

monument"; thence South 88 degrees 56 minutes 01 second East, 189.64 feet to an "iron monument"; thence North 66 degrees 12 minutes 11 seconds East, 180.02 feet to an "iron monument"; thence North 17 degrees 22 minutes 35 seconds East, 118.87 feet to an "iron monument"; thence North 03 degrees 33 minutes 36 seconds West, 119.18 feet to an "iron monument"; thence North 38 degrees 39 minutes 12 seconds East, 67.63 feet to an "iron monument"; thence North 11 degrees 25 minutes 56 seconds East, 262.21 feet to an "iron monument"; thence North 21 degrees 39 minutes 43 seconds East, 194.78 feet to a 5/8 inch iron pin found; thence North 03 degrees 12 minutes 26 seconds East, 65.33 feet to the point of beginning. Containing 24.857 acres, more or less.

EXCEPTING THEREFROM, the following described tract (Santa's Fairway Subdivision of Christmas Lake Village in the Town of Santa Claus and recorded in Plat Book 1, Page 101):

Commencing at an existing 5/8 inch iron pin found flush with the ground marking the Northeast corner of the Northwest Quarter of Section 12 of said township and range; thence along the East line of said Northwest Quarter, South 01 degree 17 minutes 00 seconds West, 341.89 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence South 89 degrees 55 minutes 46 seconds West, 531.39 feet to a 5/8 inch iron pin found; being the POINT OF BEGINNING; thence South 03 degrees 13 minutes 35 seconds West, 449.86 feet to a 5/8 inch iron pin found; thence South 00 degrees 45 minutes 52 seconds East, 599.49 feet to a 5/8 inch iron pin found; thence South 05 degrees 48 minutes 29 seconds East, 440.87 feet to a 5/8 inch iron pin found; thence South 26 degrees 25 minutes 18 seconds West, 234.60 feet to a 5/8 inch iron pin found; thence South 54 degrees 13 minutes 14 seconds West, 479.91 feet to a 5/8 inch iron pin found; thence South 84 degrees 40 minutes 01 seconds West, 140.96 feet to a 5/8 inch iron pin found; thence North 78 degrees 07 minutes 38 seconds West, 753.45 feet to an "iron monument"; thence South 88 degrees 57 minutes 46 seconds West, 600.00 feet to a 5/8 inch iron pin found; thence North 41 degrees 28 minutes 39 seconds West, 170.75 feet to an "iron monument"; thence North 10 degrees 58 minutes 49 seconds East, 170.17 feet; thence North 41 degrees 40 minutes 23 seconds East, 538.66 feet to a 5/8 inch iron pin found; thence North 54 degrees 23 minutes 37 seconds East, 210.06 feet to an "iron monument"; thence North 44 degrees 57 minutes 20 seconds East, 611.95 feet to a 5/8 inch iron pin found; thence North 56 degrees 10 minutes 20 seconds East, 530.88 feet to a 5/8 inch iron pin found; thence North 70 degrees 25 minutes 14 seconds East, 270.00 feet to a 5/8 inch iron pin found; thence North 14 degrees 28 minutes 04 seconds East, 249.75 feet to a 5/8 inch iron pin found; thence South 83 degrees 42 minutes 18 seconds East, 307.45 feet to the point of beginning. Containing 57.064 acres, more or less.

EXCEPTING THEREFROM, the following described tract (0.01 acre tract conveyed to the Town of Santa Claus, Indiana in Deed Record 130; page 463):

Beginning at the Southwest corner of Lot 39 in Santa's Fairway Subdivision of Christmas Lake Village as recorded February 28, 1973 in Town Plat Book 1, page 101; thence South 77 degrees 54 minutes 00 seconds East, 19.00 feet (South 78 degrees 07 minutes 38 seconds East, 19.00 feet, this survey); thence South 12 degrees 06 minutes 00 seconds West, 25.00 feet (South 11 degrees 52 minutes 22 seconds West, 25.00 feet, this survey); thence North 77 degrees 54 minutes 00 seconds West, 25.00 feet (North 78 degrees 07 minutes 38 seconds West, 25.00 feet,

this survey); thence North 12 degrees 06 minutes 00 seconds East, 25.00 feet (North 11 degrees 52 minutes 22 seconds East, 25.00 feet, this survey); thence South 77 degrees 54 minutes 00 seconds East, 6.00 feet (South 78 degrees 07 minutes 38 seconds East, 6.00 feet, this survey) to the point of beginning. Containing 0.01 acres, more or less.

EXCEPTING THEREFROM, the following described tract (0.388 acre tract conveyed to Christmas Lake Properties Association, Inc. in Deed Record 133, page 420): ✓

Commencing at an existing 5/8 inch iron pin found flush with the ground marking the Northeast corner of the Northwest Quarter of Section 12 of said township and range; thence along the East line of said Northwest Quarter, South 01 degree 17 minutes 00 seconds West, 341.89 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence South 89 degrees 55 minutes 46 seconds West, 531.39 feet to a 5/8 inch iron pin found marking the Northeast corner of Lot 61A in Santa's Fairway Subdivision and being the POINT OF BEGINNING; thence North 83 degrees 42 minutes 18 seconds West, 307.45 feet to a 5/8 inch iron pin found marking the Northwest corner of Lot 1A in said subdivision; thence North 06 degrees 17 minutes 42 seconds East, 59.01 feet to the Southerly right-of-way of Balthazar Drive; thence along said right-of-way in a curve concave to the North with an arc length of 98.33 feet, a radius of 687.34 feet and a long chord bearing and distance of South 80 degrees 18 minutes 30 seconds East, 98.25 feet; thence continuing along said right-of-way, South 84 degrees 24 minutes 25 seconds East, 140.96 feet; thence continuing along said right-of-way in a curve concave to the North with an arc length of 68.82 feet, a radius of 411.32 feet and a long chord bearing and distance of South 89 degrees 12 minutes 00 seconds East, 68.74 feet; thence South 06 degrees 17 minutes 42 seconds West, 61.50 feet to the point of beginning. Containing 0.388 acres, more or less.

EXCEPTING THEREFROM THE FOLLOWING described tract (1.184 acres conveyed to State of Indiana recorded as 2008R-03101): ✓

A part of the South Half of Section 1, Township 5 South, Range 5 West, Spencer County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat marked Exhibit "B", more particularly described as follows: Beginning at a point on the south line of said section South 87 degrees 15 minutes 20 seconds East 1,498.20 feet from the northeast corner of the Northwest Quarter of Section 12, Township 5 South, Range 5 West, said northeast corner being designated as point "5005" on said plat; thence North 0 degrees 48 minutes 46 seconds West 25.64 feet to point "21008" designated on said plat; thence North 70 degrees 45 minutes 08 seconds East 79.06 feet to point "21009" designated on said plat; thence North 15 degrees 58 minutes 03 seconds East 225.14 feet to point "21010" designated on said plat; thence North 7 degrees 35 minutes 22 seconds East 381.12 feet to point "11068" designated on said plat; thence North 5 degrees 52 minutes 40 seconds East 10.28 feet to a northern line of the grantor's land; thence South 73 degrees 39 minutes 25 seconds East 62.24 feet along said northern line to the centerline of S.R. 245; thence South 6 degrees 00 minutes 41 seconds West 344.27 feet along said centerline; thence South 9 degrees 29 minutes 07 seconds West 308.18 feet (305.88 feet by Deed Record 195, page 421) along said centerline to the south line of said Section 1; thence North 87 degrees 15 minutes 20 seconds West 160.66 feet along said south line to the point of beginning and containing 1.184 acres, more or less, inclusive of the presently existing right of way which contains 0.134 acres, more or less.

The portion of the above-described real estate which is not already embraced within the presently existing right-of-way contains 1.050 acres, more or less.

TRACT 2

A tract of land lying Northerly and Westerly of Balthazar Drive in parts of the Northwest Quarter of Section 12 and the Southwest Quarter of Section 1, Township 5 North, Range 5 West, Clay Township, Spencer County, Indiana and being more particularly described as follows:

Beginning at a 5/8 inch iron pin found marking the Northeast corner of Tract G in Carol Hills Subdivision of Christmas Lake Village as recorded in Plat Book 1, page 82 and being North 90 degrees 00 minutes 00 seconds West, 1487.59 feet and North 00 degrees 00 minutes 00 seconds East, 59.69 feet from a 5/8 inch iron pin marking the Northeast corner of the Northwest Quarter of Section 12 of said township and range; thence North 72 degrees 35 minutes 36 seconds East, 284.03 feet; thence South 84 degrees 52 minutes 26 seconds East, 415.82 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence North 27 degrees 41 minutes 07 seconds East, 320.90 feet; thence North 29 degrees 23 minutes 09 seconds East, 275.67 feet to an "iron monument"; thence South 79 degrees 19 minutes 49 seconds East, 119.47 feet to an "iron monument"; thence North 64 degrees 18 minutes 15 seconds East, 120.48 feet to an "iron monument"; thence North 28 degrees 31 minutes 42 seconds East, 12.66 feet to the Westerly right-of-way of Balthazar Drive; thence along said right-of-way in a curve concave to the East with an arc length of 16.72 feet, a radius of 2172.94 feet and a long chord bearing and distance of South 05 degrees 23 minutes 16 seconds East, 16.72 feet; thence South 54 degrees 26 minutes 41 seconds West, 66.10 feet to an "iron monument"; thence South 18 degrees 34 minutes 10 seconds East, 43.39 feet to an "iron monument"; thence South 81 degrees 02 minutes 35 seconds East, 3.65 feet to an "iron monument"; thence South 16 degrees 26 minutes 17 seconds West, 494.39 feet to an "iron monument"; thence South 88 degrees 41 minutes 11 seconds East, 249.65 feet to an "iron monument" on the Westerly right-of-way of Balthazar Drive; thence along said right-of-way in a curve concave to the West with an arc length of 104.97 feet, a radius of 351.32 feet and a long chord bearing and distance of South 13 degrees 52 minutes 50 seconds West, 104.58 feet to an "iron monument"; thence North 89 degrees 16 minutes 12 seconds West, 462.64 feet to an "iron monument"; thence South 24 degrees 45 minutes 44 seconds West, 219.97 feet to an "iron monument" on the Northerly right-of-way of Balthazar Drive; thence along said right-of-way in a curve concave to the North with an arc length of 108.43 feet, a radius of 627.34 feet and a long chord bearing and distance of North 74 degrees 20 minutes 00 seconds West, 108.29 feet to an "iron monument"; thence North 30 degrees 01 minutes 28 seconds East 186.73 feet to an "iron monument"; thence North 84 degrees 21 minutes 32 seconds West, 689.12 feet to the point of beginning. Containing 6.643 acres, more or less.

TRACT 3

74-05-12-300-005.002-005

A part of the Northwest Quarter of the Southwest Quarter of Section 12, Township 5 South, Range 5 West more particularly described as follows:

Commencing at a mag nail set flush with the road surface of Clubhouse Road, said mag nail being North 87 degrees 14 minutes 03 seconds West 444.20 feet of an existing PK nail marking the Northeast corner of the Northwest Quarter of the Southwest Quarter; thence parallel with the East line of said quarter quarter, South 0 degrees 03 minutes 05 seconds West, 944.35 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013; thence along the Christmas Lake Golf Course Property, North 63 degrees 47 minutes 40 seconds West 276.85 feet to an iron pin and the point of beginning of this description; thence continuing along said Christmas Lake Golf Course Property, North 63 degrees 47 minutes 40 seconds West 345.95 feet; thence North 06 degrees 18 minutes 03 seconds West 282.09 feet to an iron pin; thence South 81 degrees 47 minutes 32 seconds East 326.05 feet to an iron pin; thence South 02 degrees 45 minutes 42 seconds East 387.07 feet to the point of beginning. Containing 2.367 acres, more or less.

TRACT 4

(TRACT A)

74-05-12-300-005004005 74-05-11-400-013.004005

A part of the Southwest Quarter of Section 12, Township 5 South, Range 5 West and part of the Southeast Quarter of Section 11, Township 5 South, Range 5 West, Clay Township, Spencer County, Indiana and being more particularly described as follows:

Commencing at a stone found marking the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 12; thence along the East line of said quarter-quarter, North 01 degree 49 minutes 03 seconds East, 774.71 feet; thence North 90 degrees 00 minutes 00 seconds West, 44.59 feet to the POINT OF BEGINNING, said point being the East corner of a 1.54 acre tract as described in a Plat of Survey by Kenneth Solliday R.L.S. S0112 dated June 15, 1993; thence South 21 degrees 12 minutes 35 seconds East, 327.59 feet to a 5/8 inch iron pin; thence South 06 degrees 01 minute 01 second West, 117.80 feet to a railroad spike; thence South 86 degrees 21 minutes 18 seconds West, 1463.48 feet to a 5/8 inch iron pin; thence North 67 degrees 57 minutes 39 seconds West, 387.75 feet to a 5/8 inch iron pin; thence South 83 degrees 44 minutes 19 seconds West, 553.07 feet to a 5/8 inch iron pin; thence North 64 degrees 47 minutes 01 second West, 430.76 feet to a 5/8 inch iron pin; thence North 00 degrees 28 minutes 32 seconds East, 141.16 feet to a 5/8 inch iron pin; thence North 66 degrees 19 minutes 00 seconds East, 220.39 feet to a 5/8 inch iron pin; thence North 03 degrees 04 minutes 25 seconds West, 178.72 feet to a 5/8 inch iron pin; thence North 80 degrees 34 minutes 22 seconds East, 208.58 feet to a 5/8 inch iron pin; thence South 51 degrees 03 minutes 14 seconds East, 654.09 feet to a 5/8 inch iron pin; thence South 61 degrees 19 minutes 17 seconds East, 279.99 feet to a 5/8 inch iron pin; thence North 89 degrees 37 minutes 50 seconds East, 230.51 feet to a 5/8 inch iron pin; thence North 26 degrees 45 minutes 11 seconds East, 439.58 feet to a 5/8 inch iron pin; thence North 46 degrees 56 minutes 17 seconds East, 240.41 feet to a 5/8 inch iron pin; thence North 62 degrees 42 minutes 50 seconds East, 300.01 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence South 38 degrees 39 minutes 51 seconds East, 63.22 feet to an "iron monument"; thence South 00 degrees 13 minutes 34 seconds West, 89.43 feet to an "iron monument"; thence South 25 degrees 19 minutes 03 seconds West, 213.16 feet to an "iron monument"; thence South 46 degrees 36 minutes 17 seconds West, 139.84 feet to an "iron

monument"; thence South 11 degrees 07 minutes 06 seconds East, 58.46 feet to an "iron monument"; thence South 25 degrees 06 minutes 46 seconds East, 136.78 feet to an "iron monument"; thence South 88 degrees 56 minutes 01 second East, 189.64 feet to an "iron monument"; thence North 66 degrees 12 minutes 11 seconds East, 180.02 feet to an "iron monument"; thence North 17 degrees 22 minutes 35 seconds East, 118.87 feet to an "iron monument"; thence North 03 degrees 33 minutes 36 seconds West, 119.18 feet to an "iron monument" marking the Southwest corner of said 1.54 acre tract; thence along the Southwest line of said 1.54 acre tract, South 52 degrees 00 minutes 28 seconds East, 284.38 feet to the South corner of said 1.54 acre tract; thence along the Southeast line of said 1.54 acre tract, North 37 degrees 59 minutes 54 seconds East, 173.52 feet to the point of beginning. Containing 22.921 acres, more or less.

(TRACT F)

74-05-01-304-010.000-005

A part of the Southeast Quarter of the Southwest Quarter of Section 1, Township 5 South, Range 5 West, Clay Township, Spencer County, Indiana and being more particularly described as follows:

Beginning at a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument" being North 90 degrees 00 minutes 00 seconds West, 59.06 feet and North 00 degrees 00 minutes 00 seconds East, 188.98 feet from a 5/8 inch iron pin marking the Southeast corner of the Southwest Quarter of Section 1 of said township and range; thence South 82 degrees 01 minute 18 seconds West, 94.16 feet to an "iron monument" set on the Easterly right-of-way of Balthazar Drive; thence along said right-of-way the following courses and distances: in a non-tangent curve concave to the West with an arc length of 17.04 feet, a radius of 411.32 feet and a long chord bearing and distance of North 07 degrees 44 minutes 13 seconds West, 17.04 feet; North 08 degrees 55 minutes 27 seconds West, 352.50 feet; along a curve concave to the East with an arc length of 124.33 feet, a radius of 2112.94 feet and a long chord bearing and distance of North 07 degrees 14 minutes 18 seconds West, 124.32 feet to an "iron monument"; thence leaving said right-of-way, South 52 degrees 34 minutes 14 seconds East, 215.46 feet to an "iron monument"; thence South 00 degrees 51 minutes 57 seconds West, 344.46 feet to the point of beginning. Containing 1.233 acres, more or less.

(TRACT H)

74-05-12-204-047.000-005

A part of the Northwest Quarter of Section 12, Township 5 South, Range 5 West situated in Clay Township, Spencer County, Indiana, being more particularly described as follows:

Commencing at a mag nail set flush with the road surface of Clubhouse Road, marking the Southeast corner of the Northwest Quarter of Section 12; thence along the East line of said quarter, North 01 degree 17 minutes 00 seconds East, 634.38 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground, hereon called an "iron monument" and being the POINT OF BEGINNING; thence South 55 degrees 39 minutes 12 seconds West, 36.91 feet to an "iron monument"; thence parallel with the East line of said quarter, North 01 degree 17 minutes 00 seconds East, 576.64 feet to an "iron monument"; thence

North 61 degree 24 minutes 12 seconds West, 196.92 feet to an "iron monument"; thence North 02 degree 41 minutes 26 seconds East, 505.83 feet to an "iron monument"; thence North 17 degrees 36 minutes 13 seconds East, 420.22 feet to an "iron monument"; thence North 26 degrees 47 minutes 41 seconds East, 172.87 feet to an "iron monument" set on the East line of said quarter; thence along said East line, South 01 degree 17 minutes 00 seconds West, 1710.48 feet to the point of beginning. Containing 4.310 acres, more or less.

(TRACT 1)

74-05-12-204 046.000-005

A part of the Southeast Quarter of the Northwest Quarter of Section 12, Township 5 South, Range 5 West situated in Clay Township, Spencer County, Indiana, being more particularly described as follows:

Beginning at a mag nail set flush with the road surface of Clubhouse Road marking the Southeast corner of the Northwest Quarter of Section 12; thence along the South line of said quarter, North 87 degrees 14 minutes 03 seconds West, 854.55 feet to a mag nail set flush with the road surface in Clubhouse Road; thence North 55 degrees 39 minutes 12 seconds East, 1051.02 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground on the East line of said quarter; thence along said East line, South 01 degree 17 minutes 00 seconds West, 634.38 feet to the point of beginning. Containing 6.220 acres, more or less.

EXCEPTING THEREFROM THE FOLLOWING described tract (3.23 acres conveyed to Nate's Landing, LLC recorded as 2008R-00974): ✓

A part of the Southeast Quarter of the Northwest Quarter of Section 12, Township 5 South, Range 5 West, Clay Township, Spencer County, Indiana, and better described as follows:

Commencing at an existing mag nail at the southeast corner of said quarter-quarter; thence north 87 degrees 14 minutes 03 seconds west 148.97 feet along the south line of said quarter-quarter to the point of beginning; thence north 87 degrees 14 minutes 03 seconds west 471.78 feet along said south line; thence north 00 degrees 00 minutes 00 seconds East 140.99 feet; thence north 55 degrees 29 minutes 26 seconds east 449.00 feet; thence south 41 degrees 53 minutes 37 seconds east 168.41 feet; thence south 02 degrees 11 minutes 35 seconds west 292.99 feet to the point of beginning and containing 3.23 acres, more or less.

EXCEPTING THEREFROM THE FOLLOWING described tract (2.12 acres conveyed to Nate's Landing, LLC recorded as 2009R-02331): ✓

A part of the Southeast Quarter of the Northwest Quarter of Section 12, Township 5 South, Range 5 West, Clay Township, Spencer County, Indiana, and better described as follows:

Beginning at an existing MAG nail at the southeast corner of the Southeast Quarter of the Northwest Quarter of Section 12, Township 5 South, Range 5 West; thence north 87 degrees 14 minutes 03 seconds west a distance of 148.97 feet along the south line of said quarter-quarter section to the southeast corner of the 3.23 acre Nate's Landing, LLC, tract, as recorded in Record Document 2008R-00974 of the Spencer County Recorder's Office; thence north 02 degrees 11

(TRACT L)

74-05-11-300-011.002-005

A part of the East half of the Southwest Quarter of Section Eleven (11), Township Five (5) South, Range Five (5) West, containing eighty (80) acres, more or less and being more particularly described as follows:

Beginning at the Northwest corner of the East half of the Southwest Quarter of said Section 11, monumented with a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence along the West line of said East half, South 01 degree 33 minutes 42 seconds West, 533.10 feet to an "iron monument"; thence along the Christmas Lake Golf Course Property the following courses and distances: North 74 degrees 17 minutes 25 seconds East, 862.52 feet to an "iron monument"; South 86 degrees 47 minutes 13 seconds East, 381.34 feet to an "iron monument"; North 42 degrees 14 minutes 01 second East, 288.93 feet to the East line of said East half (witness an "iron monument", North 42 degrees 14 minutes 01 second East, 46.54 feet); thence leaving said Golf Course Property and along the East line of said East Half, North 01 degree 38 minutes 00 seconds East, 135.23 feet to an "iron monument" marking the Northeast corner of said East half; thence along the North line of said East half, South 89 degrees 44 minutes 39 seconds East, 1363.30 feet to the point of beginning. Containing 11.328 acres, more or less.

(TRACT M)

74-05-11-400-012.002-005

A part of the North half of the Southeast Quarter and a part of the Southeast Quarter of Northeast Quarter of Section 11, Township 5 South, Range 5 West being more particularly described as follows:

Beginning at the Northwest corner of the Northwest quarter of the Southeast quarter of said Section 11, monumented with a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence along the West line of said quarter-quarter, South 01 degree 38 minutes 00 seconds West, 135.23 feet; thence along the Christmas Lake Golf Course Property the following courses and distances: North 42 degrees 14 minutes 01 second East, 46.54 feet to an "iron monument"; North 86 degrees 28 minutes 33 seconds East, 508.25 feet to an "iron monument"; South 53 degrees 02 minutes 24 seconds East, 870.04 feet to an "iron monument"; North 29 degrees 09 minutes 53 seconds East, 965.58 feet to a mag nail set flush with the road surface in Clubhouse Road; thence leaving said Golf Course Property and proceeding along Clubhouse Road, North 53 degrees 24 minutes 49 seconds West, 400.94 feet to a mag nail set flush with the road surface and being on the West line of the Southeast Quarter of the Northeast Quarter; thence along the West line of said quarter-quarter, South 01 degree 45 minutes 48 seconds West, 495.86 feet to an "iron monument" marking the Southwest corner of said quarter-quarter; thence along the North line of the North Half of the Southeast Quarter, North 89 degrees 44 minutes 39 seconds West, 1363.30 feet to the point of beginning. Containing 10.925 acres, more or less.

(TRACT Z)

minutes 35 seconds east a distance of 292.99 feet along an easterly line of said Nate's Landing, LLC, tract to an easterly corner thereof; thence north 41 degrees 53 minutes 37 seconds west a distance of 168.41 feet along a northeasterly line of said Nate's Landing, LLC, tract to a northeasterly corner thereof; thence north 55 degrees 29 minutes 26 seconds east a distance of 319.92 feet along a projection of the northerly line of said Nate's Landing, LLC, tract to the east line of said quarter-quarter section; thence south 01 degrees 17 minutes 00 seconds west a distance of 606.72 feet along said east line to the point of beginning of the herein-described tract. Containing 2.12 acres.

(TRACT J)

74-05-11-200-008.000-005

Three hundred and thirty (330) feet in uniform width off the entire South end of the Southeast Quarter of the Northwest Quarter of Section Eleven (11), Township Five (5) South, Range Five (5) West, containing ten (10) acres, more or less, and being more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Northwest Quarter of said section, monumented with a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence along the West line of said quarter-quarter, North 01 degree 45 minutes 49 seconds East, 330.00 feet (witness a 5/8 inch iron pin, North 89 degrees 22 minutes 50 seconds East, 1.12 feet from corner); thence paralleling the South line of said quarter-quarter, South 89 degrees 44 minutes 39 seconds East, 1363.30 feet to an "iron monument" on the East line of said quarter-quarter; thence along said East line, South 01 degree 45 minutes 48 seconds West, 330.00 feet to an "iron monument" marking the Southeast corner of said quarter-quarter; thence along the South line of said quarter-quarter, North 89 degrees 44 minutes 39 seconds West, 1363.30 feet to the point of beginning. Containing 10.324 acres, more or less.

(TRACT K)

74-05-11-100-009.000-005

Three hundred and thirty (330) feet in uniform width off the entire South end of the Southwest Quarter of the Northeast Quarter of Section Eleven (11), Township Five (5) South, Range Five (5) West, containing ten (10) acres, more or less, and being more particularly described as follows:

Beginning at the Southwest corner of the Southwest Quarter of the Northeast Quarter of said section, monumented with a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence along the West line of said quarter-quarter, North 01 degree 45 minutes 48 seconds East, 330.00 feet to an "iron monument"; thence paralleling the South line of said quarter-quarter, South 89 degrees 44 minutes 39 seconds East, 1363.30 feet to an "iron monument" on the East line of said quarter-quarter; thence along said East line, South 01 degree 45 minutes 48 seconds West, 330.00 feet to an "iron monument" marking the Southeast corner of said quarter-quarter; thence along the South line of said quarter-quarter, North 89 degrees 44 minutes 39 seconds West, 1363.30 feet to the point of beginning. Containing 10.324 acres, more or less.

74-05-01-304-011.000-005

A part of the Southeast Quarter of the Southwest Quarter of Section 1, Township 5 South, Range 5 West, Clay Township, Spencer County, Indiana and being more particularly described as follows:

Commencing at a 5/8 inch iron pin found marking the Northeast corner of Tract G in Carol Hills Subdivision of Christmas Lake Village as recorded in Plat Book 1, page 82 and being North 90 degrees 00 minutes 00 seconds West, 1487.59 feet and North 00 degrees 00 minutes 00 seconds East, 59.69 feet from a 5/8 inch iron pin marking the Southeast corner of the Southwest Quarter of Section 1 of said township and range; thence North 72 degrees 35 minutes 36 seconds East, 485.62 feet to a 5/8 inch iron pin; thence North 32 degrees 05 minutes 30 seconds East, 790.16 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 set flush with the ground and hereon called an "iron monument"; thence South 62 degrees 24 minutes 19 seconds East, 355.88 feet to an "iron monument" set on the Westerly right-of-way of Balthazar Drive; thence along said right-of-way in a non-tangent curve concave to the East with an arc length of 53.28 feet, a radius of 2172.94 feet and a long chord bearing and distance of South 04 degrees 54 minutes 20 seconds East, 53.28 feet to the POINT OF BEGINNING; thence continuing along said right-of-way the following courses and distances: in a curve concave to the East with an arc length of 125.76 feet, a radius of 2172.94 feet and a long chord bearing and distance of South 07 degrees 15 minutes 58 seconds East, 125.74 feet; South 08 degrees 55 minutes 27 seconds East, 352.50 feet; in a curve concave to the West with an arc length of 87.35 feet, a radius of 351.32 feet and a long chord bearing and distance of South 01 degree 48 minutes 06 seconds East, 87.12 feet to an "iron monument"; thence leaving said right-of-way, North 88 degrees 41 minutes 11 seconds West, 249.65 feet to an "iron monument"; thence North 16 degrees 26 minutes 17 seconds East, 494.39 feet to an "iron monument"; thence North 81 degrees 02 minutes 35 seconds West, 3.65 feet to an "iron monument"; thence North 18 degrees 34 minutes 10 seconds West, 43.39 feet to an "iron monument"; thence North 54 degrees 26 minutes 41 seconds East, 66.10 feet to the point of beginning. Containing 1.747 acres, more or less.

TRACT 5

74-05-12-300-005.003-005

A part of the Northwest Quarter of the Southwest Quarter of Section 12, Township 5 South, Range 5 West situated in Clay Township, Spencer County, Indiana, being more particularly described as follows:

Beginning at an existing P.K. nail found marking the Northeast corner of the Northwest Quarter of the Southwest Quarter; thence along the East line of said quarter-quarter, South 02 degrees 03 minutes 05 seconds West, 1332.66 feet to a stone marking the Southeast corner of said quarter-quarter; thence North 45 degrees 05 minutes 00 seconds West, 553.67 feet to a found PVC pipe enclosed Steel Post, approximately 4 feet tall; thence North 63 degrees 47 minutes 40 seconds West, 42.03 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013 found flush with the ground; thence parallel with the East line of said quarter-quarter, North 02 degrees 03 minutes 05 seconds East, 944.35 feet to a mag nail found flush with the road surface of Clubhouse Road on the North line of said quarter-quarter; thence along said North line, South 87 degrees 14 minutes 03 seconds East, 444.20 feet to the point of beginning. Containing 11.523 acres, more or less.

TRACT 6

74-05-12-300-005.012-005

A part of the Northwest Quarter of the Southwest Quarter of Section 12, Township 5 South, Range 5 West more particularly described as follows:

Beginning at a mag nail set flush with the road surface of Clubhouse Road, said mag nail being North 87 degrees 14 minutes 03 seconds West, 444.20 feet of an existing P.K. nail marking the Northeast corner of the Northwest Quarter of the Southwest Quarter; thence parallel with the East line of said quarter-quarter, South 02 degrees 03 minutes 05 seconds West, 944.35 feet to a 5/8 inch iron pin bearing a plastic cap inscribed W.L. Clark 80910013; thence along the Christmas Lake Golf Course Property, North 63 degrees 47 minutes 40 seconds West 276.85 feet to an iron pin; thence North 02 degrees 45 minutes 42 seconds West 387.07 feet to an iron pin; thence North 81 degrees 47 minutes 32 seconds West 326.05 feet to an iron pin, thence North 06 degrees 18 minutes 03 seconds West 423.26 feet to the North line of said quarter quarter section; thence South 87 degrees 14 minutes 03 seconds East 670.78 feet to the point of beginning. Containing 9.156 acres, more or less.

Tract 1 & 2 Parcels

- 74-05-11-400-013-000-005
- 74-05-11-300-017-001-005
- 74-05-11-400-012-000-005
- 74-05-12-300-005-001-005
- 74-05-12-300-006-001-005
- 74-05-11-101-001-000-005
- 74-05-12-203-001-000-005
- 74-05-12-201-001-003-005
- 74-05-01-304-001-004-005
- 74-05-01-404-004-001-005
- 74-05-12-201-001-002-005
- 74-05-12-202-064-001-005
- 74-05-01-304-001-000-005
- 74-05-12-201-001-001-005
- 74-05-01-304-002-000-005
- 74-05-12-202-064-002-005

74-05-01-304-001-005-005

EXCEPT

EXCEPT

74-05-01-304-001-005-005

A tract of land lying Northerly and Westerly of Balthazar Drive in parts of the Northwest Quarter of Section 12 and the Southwest Quarter of Section 1, Township 5 South, Range 5 West, Clay Township, Spencer County, Indiana and being more particularly described as follows:

Beginning at a 5/8 inch iron pin found marking the Northeast corner of Tract G in Carol Hills Subdivision of Christmas Lake Village as recorded in Plat Book 1, page 32 and being North 90 degrees 00 minutes 00 seconds West, 1487.59 feet and North 00 degrees 00 minutes 00 seconds East, 59.69 feet from a 5/8 inch iron pin marking the Northeast corner of the Northwest Quarter of Section 12 of said township and range; thence North 72 degrees 35 minutes 36 seconds East, 284.03 feet to a 5/8 inch iron pin bearing a plastic cap inscribed "Resenbeck 29800018"; thence South 84 degrees 52 minutes 26 seconds East, 415.82 feet to a 5/8 inch iron pin bearing a plastic cap inscribed "Resenbeck 29800018"; thence South 00 degrees 17 minutes 52 seconds East, 115.56 feet to a 5/8 inch iron pin bearing a plastic cap inscribed "W.L. Clark 80910013"; thence North 84 degrees 21 minutes 32 seconds West, 689.12 feet to the point of beginning. Containing 1.43 acres, more or less.

Bearings in this description are based on the East line of Northwest Quarter of Section 12, Township 5 South, Range 5 West (assumed South 01 degree 17 minutes 00 seconds West).

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ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 10/12/2020 4:25:45 PM

Ordinance / Resolution Number: 2020-09

Be it ordained/resolved by the **SANTA CLAUS TOWN COUNCIL** that for the expenses of **SANTA CLAUS CIVIL TOWN** for the year ending December 31, **2021** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **SANTA CLAUS CIVIL TOWN**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **SANTA CLAUS TOWN COUNCIL**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
SANTA CLAUS TOWN COUNCIL	Town Council	10/12/2020



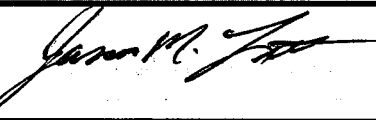

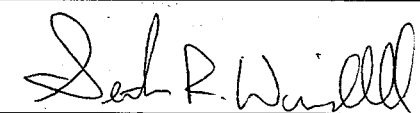
Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0005	CASINO/RIVERBOAT	\$20,000	\$0	0.0000
0061	RAINY DAY	\$250,000	\$0	0.0000
0101	GENERAL	\$816,037	\$609,861	0.4114
0706	LOCAL ROAD & STREET	\$3,045	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$83,175	\$0	0.0000
1092	CUMULATIVE BUILDING	\$75,000	\$29,123	0.0167
1135	POLICE	\$2,500	\$0	0.0000
1191	CUMULATIVE FIRE SPECIAL	\$10,000	\$32,436	0.0186
1312	RECREATION	\$146,000	\$128,000	0.0864
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$25,000	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$50,000	\$85,450	0.0490
2411	ECONOMIC DEV INCOME TAX CREDIT	\$300,000	\$0	0.0000
2430	REDEVELOPMENT - GENERAL	\$3,000	\$0	0.0000
		\$1,783,757	\$884,870	0.5821

Home-Ruled Funds (Not Reviewed by DLGF)		
Fund Code	Fund Name	Adopted Budget
9501	INDUSTRIAL DEVELOPMENT	\$25,000
9502	TIF A&C ALLOC	\$250,000
9503	USER DEFERRAL PROGRAM	\$1,000
9504	LAW CONT ED	\$1,500
9505	TIF INDUSTRIAL 475	\$10,000
9506	SC Trail 219	\$10,000
		\$297,500

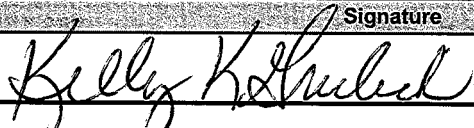
ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 10/12/2020 4:25:45 PM

Name		Signature
MICHAEL JOHANNES, PRESIDENT	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
KEVIN BURKE, VICE PRESIDENT	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
JASON LITTLE, MEMBER	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
PATRICIA VAAL, MEMBER	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
SETH WINDELL, MEMBER	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	

ATTEST

Name	Title	Signature
KELLY K GREULICH	CLERK-TREASURER	

MAYOR ACTION (For City use only)

Name		Signature	Date
	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		

In accordance with IC 6-1.1-17-16(k), we state our intent to issue debt after December 1 and before January 1 Yes No

In accordance with IC 6-1.1-17-16(k), we state our intent to file a shortfall appeal after December 1 and before December 31 Yes No

ORDINANCE 2020-10

AN ORDINANCE AMENDING ORDINANCE 2019-17

WHEREAS, the Town of Santa Claus adopted its Ordinance 2019-17 establishing salaries for employees and appointed officials of the Town in 2020; and,

WHEREAS, the Town Council has determined that Ordinance 2019-17 requires further alteration and amendment for the salary of the Superintendent of Parks and Recreation.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Santa Claus, Indiana, that:

Ordinance 2019-17 is hereby amended by adding a new paragraph, as follows:

“The Superintendent shall be paid a commission equal to ten percent (10%) of the rent and/or fees paid to the Town for any and all new activities or uses of the Santa Claus Community Center or Yellig Park which are established during the Superintendent’s employment with the Town, except gym memberships and concession sales. Such commission shall be paid quarterly for events occurring and being paid during the preceding quarter, and shall cease upon the termination of the Superintendent’s employment with the Town. Such commissions shall be paid from Fund 101950 for Community Center activities or uses, and such commissions shall be paid from Fund 215002 for Yellig Park activities or uses.”

BE IT FURTHER ORDAINED, that Chapter 1.54 of the Municipal Code of the Town of Santa Claus is hereby amended by deleting the following sentence:

“All receipts for rental of the community center shall be deposited into the Town's Community Center Fund 101950”

and replacing such sentence with the following:

“All receipts for rental of the community center other than gym memberships or fees shall be deposited into the Town's Community Center Fund 101471; and, gym memberships and fees shall be deposited into Fund 101471.010.”

BE IT FURTHER ORDAINED, that Chapter 1.54 of the Municipal Code of the Town of Santa Claus is hereby amended by deleting the following sentence:

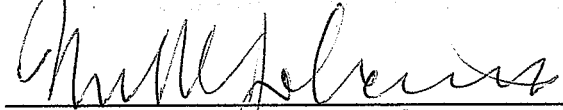
“All receipts for use of Yellig Park shall be deposited into the Town’s Parks and Recreation Fund 204002.”

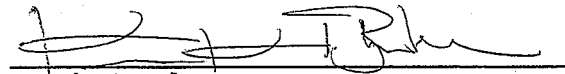
and replacing such sentence with the following:


“All receipts for use of Yellig Park shall be deposited into the Town’s Parks and Recreation Fund 215471.”


PASSED AND ADOPTED by the Town Council of the Town of Santa Claus, Indiana on the 12th day of October, 2020.

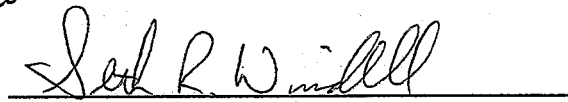
SANTA CLAUS TOWN COUNCIL



Michael Johannes, President


Kevin Burke


Jason Little


Patricia Vaal


Seth Windell

Attest:

Kelly Greulich, Clerk-Treasurer