

ARTICLES OF DEDICATION

ORANGEVILLE RISE OF LOST RIVER NATURE PRESERVE

Pursuant to the provisions of Chapter 266 of the Acts of 1967, as amended by Acts of 1972, Public Law 107, and solely for the uses and purposes set forth in said Act as of the date of these Articles of Dedication, and upon and subject to the conditions under which Grantor took title to the real estate hereinafter described as set forth in the deed of Anna L. Pinnick, a widow and Henry T. Holland, Chairman, Opposition to Lost River Springs Valley Conservancy District and Ruth Holland his wife to Grantor dated the 4th day of December, 1972, and recorded on the 29th day of December, 1972, in Orange County Record No. 120 all of which conditions are incorporated herein by reference thereto as set forth herein in full. The Nature Conservancy, a not-for-profit corporation of the District of Columbia having its principal office in the City of Arlington, Virginia, hereby dedicates to the Department of Natural Resources of the State of Indiana, under the provisions of said Act, voluntarily and without consideration, (subject, however, to termination as hereinafter provided) a perpetual nonexclusive easement in the following described real estate herein called Orangeville Rise of Lost River Nature Preserve located in Orange County, Indiana:

A part of the Southeast quarter of Section 6, Township 2 North, Range 1 West, Orange County, Indiana. More particularly described as follows:

Beginning at a 1/2-inch iron pipe which marks the Northeast corner of Lot Number 1 in the town of Orangeville as platted in the Orange County Indiana recorder's office June 18, 1849; thence N 90° E (assumed bearing) along the South line of Street Number One in the Town of Orangeville 190.65 feet to a railroad spike in the center of a county blacktop road known as the Orangeville-Paoli Road; thence S13°26.0'W along the centerline of the said road 426.84 feet to a railroad spike; thence S 33°30.8'W 164.69 feet to a railroad spike; thence leaving the said road S33°13.3'W 102.54 feet to a 1/2 inch iron pipe; thence S33°54.1'W 38.00 feet to the center of the Dry Bed of Lost River; thence along the centerline of the said Dry Bed N48°29.5'W 180.59 feet to the point where the centerline of the Dry Bed intersects the centerline of Lost River; thence N64°36.2'W along the centerline of Lost River 6.64 feet; thence leaving the centerline of Lost River N24°14.4'E 528.15 feet to a 1/2 inch iron pipe at the Southeast corner of the aforesaid Lot Number One, Town of Orangeville, Indiana; thence N01°19.1'E along the East line of lot One 65.49 feet to the point of beginning. Containing 3.017 acres more or less, and subject to all legal rights-of-way and easements.

Grantee hereby accepts such dedication and holds its estates, rights and interests hereunder in the Nature Preserve in trust for the People of the State of Indiana under the provisions of said Act.

Subject to said deed conditions the Nature Preserve shall be used, administered, managed and protected by the Administrator (as defined in the Master Plan) in accordance with the provisions of the Policies for Administration and Management of Indiana Nature Preserves and Registered Natural Areas adopted by Grantee and in effect on May 1, 1969, of these Articles of Dedication and of the Master Plan for the Nature Preserve adopted by Grantor and Grantee, to be effective on last date appearing below, all of which are on file in Grantee's office in Indianapolis, Indiana, and in Grantor's office in Arlington, Virginia, (which Policies and Master Plan are hereby approved and adopted by Grantor as the rules and regulations for the Nature Preserve as provided in said deed conditions), together with such amendments of said Policies or Master Plan as may be adopted by Grantee in writing and approved and adopted by Grantor in writing from time to time and as are not inconsistent with the provisions of said Act, these Articles of Dedication or said deed conditions.

Grantee shall not grant any estate, interest or right in the Nature Preserve, or dispose of the Nature Preserve, or any part thereof, or any of its interests or rights therein, without Grantor's prior written consent.

In the event that, in contemplation of a taking of the Nature Preserve or any part thereof for another use, the Natural Resources Commission of the State of Indiana should find, after a public hearing, that an imperative and unavoidable public necessity exists for such taking and the Governor of the State should approve of such taking, all as provided in Sections 8 and 9 of said Act, this dedication and all estates, rights and interests created by these Articles of Dedication shall automatically terminate and be of no further force or effect as to the area subject to such finding and approval.

If and whenever said Act is amended, Grantor shall have the right to terminate this dedication and all estates, rights and interests created by these Articles of Dedication by giving written notice of such termination to Grantee at any time within one year after said amendment becomes effective.

As used in these Articles of Dedication, the word "Grantor" means The Nature Conservancy or such other organization as may have title to the above described real estate under said deed conditions.

Neither the uses and purposes for which the Nature Preserve is dedicated nor the provisions of these Articles of Dedication shall expire or lapse or be deemed fully satisfied by virtue of compliance therewith for any period of time.

IN WITNESS WHEREOF, The Nature Conservancy and the Department of Natural Resources of the State of Indiana have caused these Articles of Dedication to be signed by their duly authorized officers on the respective dates appearing below.

THE NATURE CONSERVANCY

Dated: 3/14/75

BY: G. Jon Roush Executive Vice President

Attest: Richard G. Taurig Assistant Secretary

STATE OF INDIANA NATURAL RESOURCES COMMISSION

Dated: March 20, 1975

John A. Hillenbrand, II Chairman

Attest: Joseph D. Cloud Secretary

Approved as to Form and Legality this 5 day of June, 1975.

DEPARTMENT OF NATURAL RESOURCES

Joseph D. Cloud, Director

Theodore L. Sendak, Attorney General State of Indiana

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF NATURE PRESERVES

William B. Barnes, Director

Approved this 13th day of June, 1975

Otis R. Bowen, M.D. Governor, State of Indiana

This Instrument Prepared By:

Dennis B. Wolkoff Attorney at Law

205 Washington Street Columbus, Indiana 47201

