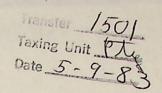
LIMITED WARRANTY DEED from New Energy Company to City of South Bend,

(ETHANOL PLANT PROJECT)

Hold Bd. g works

8307468 #1300



## LIMITED WARRANTY DEED

New Energy Company of Indiana, an Indiana limited partnership (the "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt of which is acknowledged, hereby sells and conveys to the City of South Bend, Indiana (the "Grantee"), the real estate located in St. Joseph County, Indiana which is described on Exhibit A attached hereto and made a part hereof (the "Real Estate").

Grantor will warrant and forever defend the right and title to the Real Estate unto Grantee against the claims of all persons owning, holding, or claiming by, through, or under Grantor, which claims are based upon matters occurring subsequent to Grantor's acquisition of the Real Estate on October 26, 1982 and prior to the date of this Limited Warranty Deed.

This Limited Warranty Deed is executed on this 26th day of April, 1983.

APPROVED BOARD OF PUBLIC WORKS

GRANTOR New Energy Company of Indiana by New

Energy Corporation of Indiana, its General Partner

Vice President

it may .

STATE OF INDIANA

)SS:

COUNTY OF ST. JOSEPH

Before me, the undersigned, a notary public residing in said county and state, personally appeared, Donald W. Evans, known to me to be the Vice President of New Energy Corporation of Indiana, the general partner of New Energy Company of Indiana and acknowledged the execution of the foregoing Limited Warranty Deed on behalf of said corporation and said limited partnership and stated that he is authorized so to do. In witness whereof, I have hereunto subscribed my name and affixed my official seal, this 26th day of April, 1983.

My commission expires: 2-10-85

Richard L. Mintz Notary Public Residing in St. Joseph

County

This Instrument was prepared by Richard L. Mintz, Roemer and Mintz, 1400 St. Joseph Bank Building, South Bend, Indiana 46601.

jr 6/31

DULY EN ST. JOSEPH CO., INDIANA Hold Bd. g works

8307468

## LIMITED WARRANTY DEED

New Energy Company of Indiana, an Indiana limited partnership (the "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt of which is acknowledged, hereby sells and conveys to the City of South Bend, Indiana (the "Grantee"), the real estate located in St. Joseph County, Indiana which is described on Exhibit A attached hereto and made a part hereof (the "Real Estate").

Grantor will warrant and forever defend the right and title to the Real Estate unto Grantee against the claims of all persons owning, holding, or claiming by, through, or under Grantor, which claims are based upon matters occurring subsequent to Grantor's acquisition of the Real Estate on October 26, 1982 and prior to the date of this Limited Warranty Deed.

This Limited Warranty Deed is executed on this 26th day of April, 1983.

APPROVED **BOARD OF PUBLIC WORKS** 

GRANTOR

New Energy Company of Indiana by New Energy Corporation of Indiana, its General Partner

ald W. Evans, Vice President

it says .

STATE OF INDIANA )SS: COUNTY OF ST. JOSEPH

Before me, the undersigned, a notary public residing in said county and state, personally appeared, Donald W. Evans, known to me to be the Vice President of New Energy Corporation of Indiana, the general partner of New Energy Company of Indiana and acknowledged the execution of the foregoing Limited Warranty Deed on behalf of said corporation and said limited partnership and stated that he is authorized so to do. In witness whereof, I have hereunto subscribed my name and affixed my official seal, this 26th day of April, 1983.

commission expires: 2-10-85

Richard L. Mintz Notary Public Residing in St. Joseph County

INDIANA INDIANA ) FOR RECORD

This Instrument was prepared by Richard L. Mintz, Roemer and Mintz, 1400 St. Joseph Bank Building, South Bend, Indiana 46601.

jr 6/31

DULY EN ST. JOSEPH CO., INDIANA The south 30 feet of the north half (5) of the southeast 4 and the south 30 feet of the north half (1) of the southwest 1 east of the easterly right-of-way line of the New Jersey, Indiana and Illinois Railroad all in the south half of Section 16 Township 37 north, range 2 east in the City of South Bend, Indiana more particularily described as follows: Commencing at the southeast corner of said section; thence north 000 30' 23" west (assumed bearing) 1319.90 feet along the east line of said section to the POINT OF BEGINNING; thence north .90° 00' 00" west 3222.01 feet along the north line of the south half of the southeast and southwest 4 of said section to the easterly right-of-way line of New Jersey, Indiana and Illinois Railroad; thence north 22° 18' 50" east 32.43 feet along said easterly right-of-way line; thence south 90° 00' 00" east parallel to the north line of said south half of said southeast and southwest \ 3210.35 feet to the east line of said section 16; thence south 00° 30' 23" east 30.00 feet to the point of beginning, containing 2.215 acres.

A tract of land in the North Half of the Southwest Quarter of Section 16, Township 37 North, Range 2 East of the Second Principal Meridian, Portage Township, St. Joseph County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of said Section 16; thence North 000 30' 23" West 1319.90 feet along the East line of said Section 16; thence North 90° 00' 00" West, (assumed bearing), 3323.76 feet; thence North 00° 27' 09" West, 15.18 feet to the Point of Beginning of this description, thence continuing North 00° 27' 09" West, 1160.17 feet to a point on a curve; thence along the Easterly right-of-way line of Conrail, northeasterly 240.32 feet along an arc to the right, having a radius of 3868.33 feet and subtended by a long chord having a bearing of North 54° 39' 03" East and a length of 240.28 feet to the East West Quarter line of said Section 16; thence along said East-West Quarter line North 890 46' 03" East, 346.95 feet to the Westerly right-of-way line of the New Jersey. Indiana and Illinois Rajlroad; thence along said right-of-way line South 220 18' 50" West, 1405.83 feet to the Point of Beginning, containing 7.806 acres, more or less.

> New Energy Company of Indiana by New Energy Corporation of Indiana, its General Partner

Donald W. Evans, Vice President

FILM NO. WANDA A. NOWAK RECORDER

May 9 2 39 PH '83

ST. JOSEPH CO. INDIANA FILED FOR RECORD INDEXED

5.50 Ze.