

6/30/21

Notification of Deed Notation
Petersburg Generating Station
for
AES Indiana
(f/k/a Indianapolis Power & Light Company)

Pursuant to 40 C.F.R. § 257.102(i)(3), AES Indiana hereby provides notice that it has complied with the deed notations requirements established by 40 C.F.R. § 257.102(i) for the closure of Pond C at Petersburg Generating Station located at 6925 North State Road 57 in Petersburg, Indiana. The attached affidavit was recorded by the Pike County Recorder's Office on 6/28/21.

Signed,



William Feague

Scientist, III

202100001387
FILED FOR RECORD IN
PIKE COUNTY IN
JEFF HARTING, RECORDER
DATE RECORDED: 06/28/2021 01:01 PM
RECORDING FEE 25.00
AFFD MISC
PAGES: 3

AFFIDAVIT

The INDIANAPOLIS POWER & LIGHT COMPANY, an Indiana corporation, now operating as AES Indiana, executes and records the following affidavit for the purpose of complying with and satisfying certain closure requirements contained in the federal *Standards for the Disposal of Coal Combustion Residuals in Landfills and Surface Impoundments* specifically set forth at 40 C.F.R. §257.102(i).

1. **Affected Property.** Grantor is the fee simple owner of the property located at: 6925 North State Road 57 in Petersburg, Indiana known as the Petersburg Generating Station (the "Property"). The Property is legally described as set forth in **Exhibit A**, attached hereto and made a part hereof.
2. **Use as a CCR Unit.** The Property has been used as a CCR Unit, as that term is defined in 40 C.F.R. §257.53. Any future deed of the Property shall reflect that the Property has been used as a CCR Unit as defined in 40 C.F.R. §257.53.
3. **Post-Closure Care Obligations.** The CCR Unit has been closed pursuant to 40 C.F.R. §257.101 and is subject to post closure care obligations set forth in 40 C.F.R. §257.104(b), and 329 Ind. Admin. Code 10.
4. **Running with the Land.** Compliance with the CCR Deed Notation Requirements in 40 C.F.R. §257.102(i) is perpetual and runs with the land and is binding on Grantor and all successors in interest, assigns, and transferees acquiring or owning any right, title, lien, or interest in the Property. The term "transferee," as used in this Affidavit, shall mean any future owner of any interest in the Property or any portion thereof, including, but not limited to, owners of an interest in fee simple, contract buyers, mortgagees, easement holders, and/or lessees.
5. **Effective Date.** The effective date of this Affidavit shall be the date upon which this Affidavit has been recorded at the Recorder's Office in the county in which the Property is located.

Further affiant saith not.



Exhibit A

Boundary Description - Ash Pond C

A parcel of ground being part of the East Half of Section 12, Township 1 North, Range 8 West, part of the fractional Southeast Quarter of Section 1, Township 1 North, Range 8 West, part of the fractional Southwest Quarter of Section 6, Township 1 North, Range 7 West, and part of the fractional Northwest Quarter of Section 7, Township 1 North, Range 7 West, all of the Second Principal Meridian, in Washington Township, Pike County, Indiana, and being parts of four tracts of land conveyed to Indianapolis Power & Light Company by Warranty Deed recorded April 5, 1974 in Deed Book 84, page 212, by Warranty Deed recorded May 29, 1984 in Deed Book 100, page 624, by Warranty Deed recorded May 9, 1986 in Deed Book 103, page 655, and by Warranty Deed recorded January 27, 1987 in Deed Book 107, page 234, all in the Office of the Recorder of said Pike County; said parcel of ground being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 12, said point having coordinates (Indiana State Plane Coordinate System, West Zone, NAD 83, CORS 96, U.S. survey feet) of North 1193280.22, East 2907852.85; said point also lying North 89 degrees 44 minutes 26 seconds East 151.79 feet from a 2 inch diameter iron pipe; thence North 00 degrees 15 minutes 35 seconds West (all bearings in this description are relative to said State Plane Coordinate System), on the East line of said Section 12, a distance of 4035.77 feet; thence South 89 degrees 44 minutes 25 seconds West 525.67 feet to a point on the westerly right-of-way line of the Evansville, Indianapolis and Terre Haute Railway Company (now Indiana Southern Railroad), said point being 49.0 feet westerly, by perpendicular measurement, from the centerline of the main track of said railroad at Station 13371+50.36 per valuation maps of said railroad, said point also being a southeast corner of said tract conveyed by Warranty Deed recorded in Deed Book 84, page 212, and being the Point of Beginning of the herein described parcel; thence South 89 degrees 06 minutes 15 seconds West, on a southerly line of said tract, 81.04 feet; thence North 21 degrees 17 minutes 52 seconds West, and crossing into said Section 1, a distance of 1493.35 feet; thence North 48 degrees 53 minutes 04 seconds East 254.49 feet; thence easterly an arc distance of 620.02 feet on a curve to the right, said curve having a radius of 1078.54 feet and being subtended by a chord of 611.52 feet which bears North 65 degrees 21 minutes 12 seconds East; thence easterly, and crossing into said Section 6, an arc distance of 780.11 feet on a curve to the right, said curve having a radius of 4161.77 feet and being subtended by a chord of 778.97 feet which bears North 87 degrees 11 minutes 31 seconds East; thence southeasterly an arc distance of 444.34 feet on a curve to the right, said curve having a radius of 415.63 feet and being subtended by a chord of 423.48 feet which bears South 56 degrees 48 minutes 43 seconds East; thence southerly an arc distance of 172.39 feet on a curve to the right, said curve having a radius of 116.39 feet and being subtended by a chord of 157.06 feet which bears South 16 degrees 14 minutes 42 seconds West, to a point on said railroad right-of-way line which is 49.0 feet northwesterly, by perpendicular measurement, from the centerline of the main track of said railroad at Station 13352+20.95 per said maps (the remaining eight courses of this description being on said right-of-way line); thence South 58 degrees 40 minutes 32 seconds West 388.85 feet; thence southwesterly an arc distance of 151.89 feet on a curve to the left, said curve having a radius of 3955.64 feet and being subtended by a chord of 151.88 feet which bears South 57 degrees 34 minutes 32 seconds West; thence southwesterly, crossing into said Section 7 and then crossing into said Section 12, an arc distance of 314.23 feet on a curve to the left, said curve having a radius of 1091.14 feet and being subtended by a chord of 313.14 feet which bears South 48 degrees 13 minutes 32 seconds West; thence southwesterly an arc distance of 307.51 feet on a curve to the left, said curve having a radius of 1165.52 feet and being subtended by a chord of 306.62 feet which bears South 32 degrees 25 minutes 02 seconds West; thence South 24 degrees 51 minutes 32 seconds West 295.90 feet; thence southwesterly an arc distance of 141.68 feet on a curve to the right, said curve having a radius of 1132.71 feet and being subtended by a chord of 141.59 feet which bears South 28 degrees 26 minutes 32 seconds West; thence South 32 degrees 01 minutes 32 seconds West 70.40 feet; thence southwesterly an arc distance of 293.12 feet on a curve to the left, said curve having a radius of 1255.57 feet and being subtended by a chord of 292.45 feet which bears South 25 degrees 20 minutes 15 seconds West, to the point of beginning, containing 39.656 acres, more or less.