

FCR- 76-12

RESOLUTION

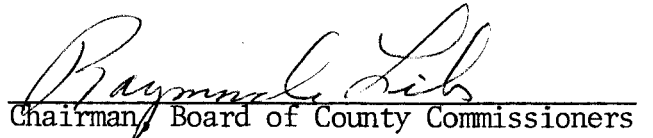
COUNTY OF FLOYD)
) SS
STATE OF INDIANA)

The above petition by Marathon Pipe Line Company, having come before the Board of County Commissioners of Floyd County, Indiana, on this the 1st day of NOVEMBER, 1976, and the said County Board does hereby find that the petition is valid, that the pipeline crossings are needed for the transportation of Petroleum and Petroleum Products for public consumption.

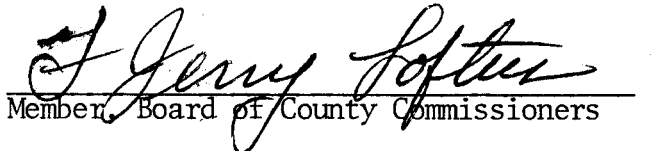
Now, therefore, it is resolved that said petition be approved and that Marathon Pipe Line Company be granted the right to lay pipelines under and through County Highways, at the location indicated on the attached exhibits made a part of the petition, upon the terms and conditions as set forth in said petition.

Signed this 1 day of NOV, 1976.


County Auditor


Chairman, Board of County Commissioners


Member, Board of County Commissioners


Member, Board of County Commissioners

COUNTY OF FLOYD, STATE OF INDIANA
PETITION FOR PIPELINE HIGHWAY CROSSING

TO THE BOARD OF COUNTY COMMISSIONERS, of the County of Floyd, in the State of Indiana:

Now, on this 15th day of September, 1976, comes Marathon Pipe Line Company, a Delaware corporation, qualified to do business in the State of Indiana, and respectfully represent unto the Board of County Commissioners of the County of Floyd, in the State of Indiana, as follows:

1. That Marathon Pipe Line Company, in connection with its operation in said County and State, proposes to lay, construct, repair, maintain and operate pipelines for the transportation of Petroleum and Petroleum Products through, across and under certain County Highways shown and located on attached exhibits, said exhibits now becoming a part of this petition.
2. That said proposed pipelines hereafter to be constructed must necessarily be laid in and under and through certain County Highways, as shown on the attached exhibits.
3. That said pipeline will be at a depth of at least (5) feet below the bottom of the ditches on both sides of said County Highways and that where feasible said pipe shall be bored under the road so that the surface of said County Highways will not be disturbed. However, where underlying rock makes boring difficult or impracticable, said pipe shall be installed by open cutting the road surface.
4. Marathon Pipe Line Company, hereby makes application for the consent, permission and authority of the Board of County Commissioners in and for the County of Floyd, in the State of Indiana for continuing authority to cross said County Highways with its pipeline or pipelines for the transportation and transmission of Petroleum and Petroleum Products.
5. Marathon Pipe Line Company, represents and agrees that these pipelines to be constructed across said County Highways above mentioned will be laid, constructed, repaired, maintained, and operated, subject to the terms,

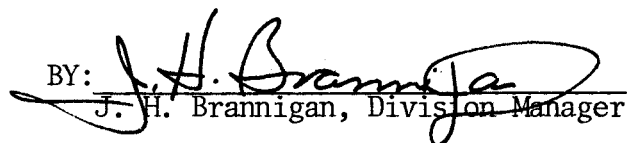
conditions and limitations hereinafter set forth.

- a. The location and method of construction in the laying or installation of such pipelines across or under such roads and highways shall be such as in judgment of the County Commissioner will not unnecessarily interfere with the public use of any such roads or public highways.
 - b. Marathon Pipe Line Company, will repair and replace at its own cost and expense all portions of said roads or public highways and all bridges, culverts, sewers or other structures thereon which may be damaged by reason of the construction, operation or maintenance of such pipelines across said roads or public highways, such work to be done to the reasonable satisfaction of the County Commissioners.
6. In case of any future construction, repair, reconstruction, widening, or change in the grade of any of the roads by the County, within the now existing right-of-way of such road, Marathon Pipe Line Company, after receipt of written notice to do so, will at its own expense commence action to change, move or relocate such pipeline (s), provided however, that the Board shall provide Marathon Pipe Line Company with new or additional rights-of-way should they be necessary as a result of said notice.
7. Bond--Marathon Pipe Line Company shall, before work is commenced on the above-described pipeline in Floyd County, furnish an acceptable Performance, Payment and Maintenance Bond in the amount of \$5,000.00 paid to the Board of Commissioners, County of Floyd, to assure repair and replacement of roadway facilities and county right-of-way and to be in force and maintained during the pipeline construction and during the full life of the pipeline whether it is repaired, replaced with other pipe, altered, added to or other uses made of the pipeline easement.

THEREFORE, Marathon Pipe Line Company hereby petitions the Board of County Commissioners that consent, authority and permission be granted by an appropriate resolution of said Board, authorizing Marathon Pipe Line Company to lay, construct, repair, maintain and operate and remove pipelines for transportation of Petroleum and Petroleum Products under and across certain County Highways as described on attached exhibits.

MARATHON PIPE LINE COMPANY

BY:


J. H. Brannigan, Division Manager