

WARRANTY DEED

Form WD-1
Revised May-14

Project:	1006199
Code:	5839
Parcel:	21, 21B
Page:	1 of 3

THIS INDENTURE WITNESSETH, That Michael L. Maust and Lisa A. Maust, husband and wife, the Grantor(s) of Elkhart County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Sixty Seven Thousand Nine Hundred Ninety and NO/100 Dollars (\$67,990.00) (of which said sum \$67,990.00 represents land and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Elkhart, State of Indiana, and being more particularly described in the legal description(s) attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

The grantor(s) assume(s) and agree(s) to pay the 2014 payable 2015 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the State in the event of any non-payment.

Interests in land acquired by the Indiana
Department of Transportation
Grantee mailing address:
100 North Senate Avenue N642
Indianapolis, IN 46204-2219
I.C. 8-23-7-31

COPY

Form WD-1
Revised May-14

Project: 1006199
Code: 5839
Parcel: 21, 21B
Page: 2 of 3

IN WITNESS WHEREOF, the said Grantor(s) have executed this instrument
this 20th day of July, 2015.

Michael L. Maust
Michael L. Maust, husband

Lisa A. Maust
Lisa A. Maust, wife

STATE OF: INDIANA:

COUNTY OF ELKHART:

SS:

Before me, a Notary Public in and for said State and County, personally appeared Michael L. Maust and Lisa A. Maust,
husband and wife, of the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date
aforesaid to be their voluntary act and deed and who, being duly sworn, stated that any representations contained therein are
true.

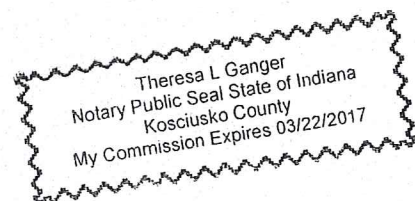
Witness my hand and Notarial Seal this 20th day of July, 2015.

Signature Theresa L. Ganger

Printed Name Theresa L. Ganger

My Commission expires 03-22-2017

I am a resident of Kosciusko County.



COPY

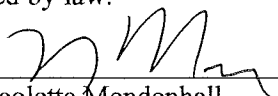
CODE: 5839

PARCEL: 2\

This instrument was prepared by:

Nicolette Mendenhall
Deputy Attorney General
Attorney No. 27964-49
Office of the Indiana Attorney General
Indiana Government Center South, 5th Floor
302 West Washington Street
Indianapolis, Indiana 46204

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.



Nicolette Mendenhall

Grantee's Tax Mailing Address:

Indiana Department of Transportation
100 North Senate Avenue
Indianapolis, IN 46204-2219

Indiana Code § 8-23-7-31

EXHIBIT "A"


Project: 1006199
Parcel: 21 Fee Simple
Tax ID No: 20-11-09-258-019.000-015
Form: WD-1

Sheet 1 of 2

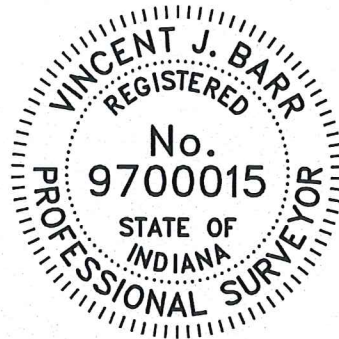
Code: 5839

A part of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county, 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", described as follows: BEGINNING at the southwest corner of said lot; thence North 0 degrees 42 minutes 13 seconds West 13.75 feet along the west line of said lot to the point designated "1011" on said Parcel Plat; thence South 44 degrees 32 minutes 24 seconds East 19.00 feet to the south line of said lot designated as point "1012" on said Parcel Plat; thence South 89 degrees 06 minutes 18 seconds West 13.16 feet along said south line to the POINT OF BEGINNING and containing 90 square feet, more or less.

This description was prepared for the Indiana Department of Transportation by the following:

 08/18/2014

V.S. Engineering, Inc.
Vincent J. Barr, P.S.
Professional Surveyor No. 9700015
State of Indiana



COPY

EXHIBIT "A"

Project: 1006199
Parcel: 21B Excess Land
Tax ID No: 20-11-09-258-019.000-015
Form: WD-1

Sheet 2 of 2

Code: 5839

Part of Lot Numbered Two hundred twenty-one (221) as the said Lot is known and designated on the recorded ORIGINAL PLAT OF GOSHEN, Indiana, said Plat being recorded in Deed Record 1, page 16 in the office of the Recorder of Elkhart County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Lot Numbered Two hundred twenty-one (221); thence East Forty-six and one-half ($46 \frac{1}{2}$) feet; thence North to the North line of said Lot Numbered Two hundred twenty-one (221); thence West Forty-six and one-half ($46 \frac{1}{2}$) feet to the West line of said Lot; thence South to the place of beginning.

EXCEPTING THEREFROM the following described land:

A part of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county, 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", described as follows: BEGINNING at the southwest corner of said lot; thence North 0 degrees 42 minutes 13 seconds West 13.75 feet along the west line of said lot to the point designated "1011" on said Parcel Plat; thence South 44 degrees 32 minutes 24 seconds East 19.00 feet to the south line of said lot designated as point "1012" on said Parcel Plat; thence South 89 degrees 06 minutes 18 seconds West 13.16 feet along said south line to the POINT OF BEGINNING and containing 90 square feet, more or less.

Containing in all less said exception 2,995 square feet, more or less.

This description was prepared for the Indiana Department of Transportation by the following:

Vincent J. Barr 08/18/2014

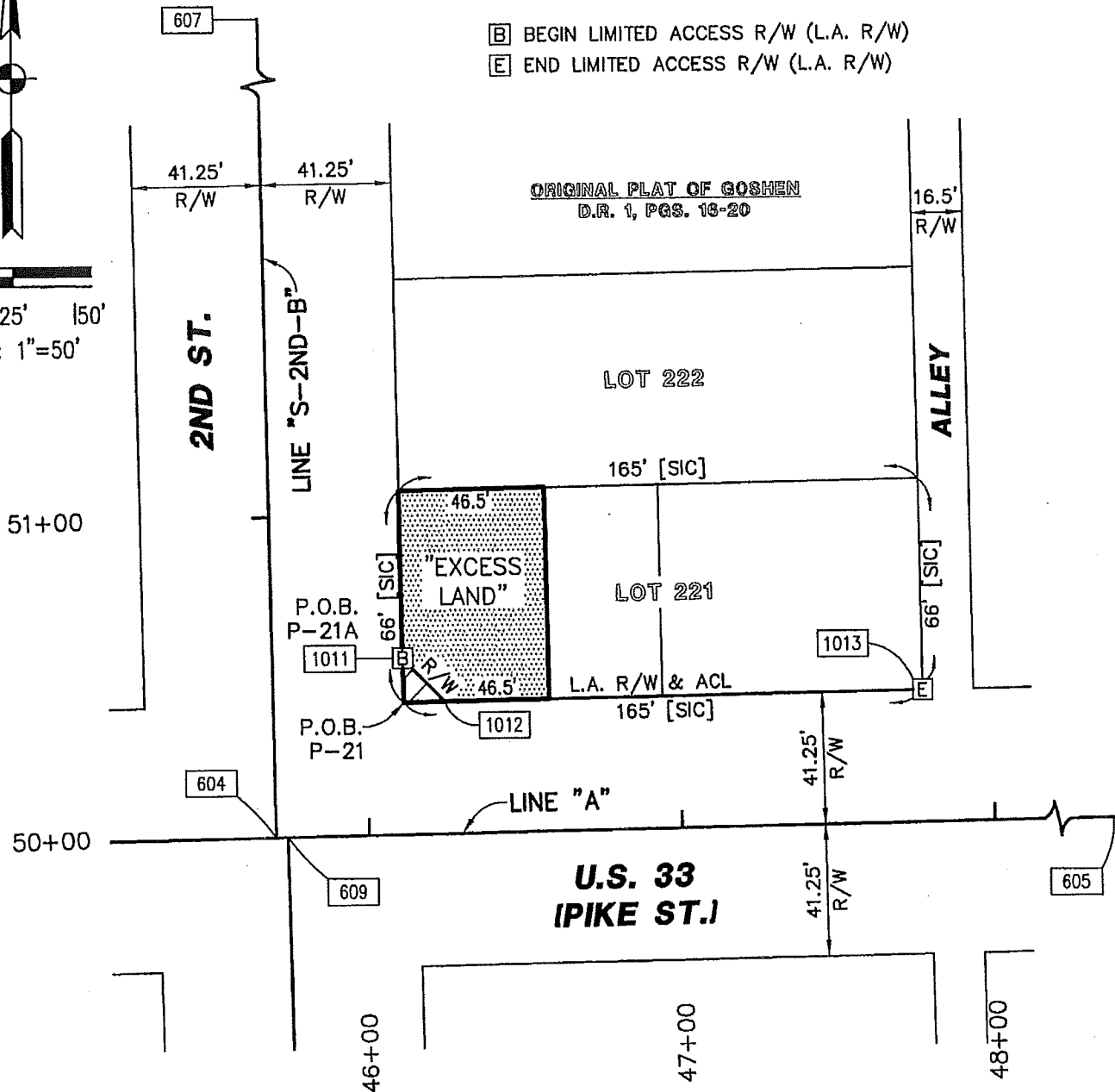
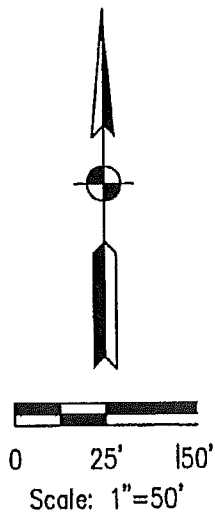
V.S. Engineering, Inc.
Vincent J. Barr, P.S.
Professional Surveyor No. 9700015
State of Indiana



COPY

RIGHT-OF-WAY PARCEL PLAT

Prepared for Indiana Department of Transportation
by VS Engineering (Job #12-2878)



REVISED BY: V.J. BARR 08/27/2015

PARCEL: 21
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N.
RANGE: 6 E.

OWNER: MAUST, MICHAEL L. ET UX.



HATCHED AREA IS THE APPROXIMATE TAKING

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/01/2014
CHECKED BY: V.J. BARR 08/16/2014

INSTR. NO. 98-026440, DATED 08/05/1998
TAX ID No. 20-11-09-258-019.00-015

NOTE: DIMENSIONS SHOWN
HEREIN ARE ENGLISH.

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS.

COPY

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814
1012	A	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772
604	SEE LOCATION CONTROL ROUTE SURVEY PLAT					
605						
607						
609						

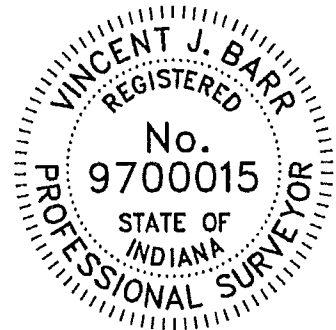
NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

V. J. Barr 08/27/2015

VS ENGINEERING, INC.
VINCENT J. BARR, P.S.
PROFESSIONAL SURVEYOR NO. 9700015
STATE OF INDIANA



REVISED BY: V.J. BARR 08/27/2015

PARCEL: 21 OWNER: MAUST, MICHAEL L. ET UX.
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH.
RANGE: 6 E.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/01/2014
CHECKED BY: V.J. BARR 08/16/2014

COPY

2015-19984

ELKHART COUNTY RECORDER
JENNIFER L. DORIOT
FILED FOR RECORD ON
AS PRESENTED
09/28/2015 12:15 PM



WARRANTY DEED
LIMITATION OF ACCESS CONTROL LINE

Form WL-3

Revised 07/2014

20-11-09-258-020.000-015

Project: 1006199
Code: 5839
Parcel: 22
Page: 1 of 4

THIS INDENTURE WITNESSETH, That Baltazar Investments, LLC, f/k/a Baltazar Properties, LLC, the Grantor(s) of Elkhart County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Thirty Eight Thousand Seven Hundred and no/100 Dollars (\$38,700.00) representing the acquisition of access rights and damages by reason of conveyance of the said rights as herein provided, and other valuable consideration, the receipt of which is hereby acknowledged, the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as US 33 and as Project 1006199 to and from the Grantor(s) remaining lands where they abut a certain limited access control line situated on Real Estate located in the County of Elkhart, State of Indiana, the said line being more particularly described in the legal description(s) attached hereto as Exhibit "A" and the Right of Way Parcel Plat attached hereto as Exhibit "B", which said exhibits are incorporated herein by reference. The limitation of access granted herein is a covenant running with the land and shall be binding on the Grantor(s) and on all successors in title to the said abutting lands.

This conveyance is subject to any and all easements, conditions and restrictions of record.

NO SALES DISCLOSURE REQUIRED

Interests in land acquired by the Indiana
Department of Transportation
Grantee mailing address:
100 North Senate Avenue N642
Indianapolis, IN 46204-2219
I.C. 8-23-7-31

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

9-28 2015
Pauline E. Groff AUDITOR
4200

TRANSFER FEE 0
PARCEL NO. ✓

pt 2
MCV
No change

TAXES PAID

Form WL-3
Revised 07/2014

Project:	1006199
Code:	5839
Parcel:	22
Page:	2 of 4

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the access rights conveyed herein are conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the limited access control line or any right of way, roadway or roadway appurtenances established in relationship thereto. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

The undersigned represents and warrants that he is a Member of the Grantor; that the Grantor is a limited liability company validly existing in the State of its origin and, where required, in the State where the subject real estate is situated; that the Grantor has full company capacity to convey the real estate interest described; that pursuant to a resolution of the Members of the Grantor or the Operating Agreement of the Grantor he has full authority to execute and deliver this instrument on its behalf and that said authority has not been revoked; that he is therefore, fully authorized and empowered to convey to the State Of Indiana real estate of the Grantor, and that on the date of execution of said conveyance instruments he had full authority to so act; and that all necessary company action for the making of this conveyance has been duly taken.

The grantor(s) assume(s) and agree(s) to pay the 2014 payable 2015 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the State in the event of any non-payment.

Form WL-3
Revised 07/2014

Project: 1006199
Code: 5839
Parcel: 22
Page: 3 of 4

IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument

this 21st day of July, 2015.

Baltazar Investments, LLC, f/k/a Baltazar Properties, LLC

V.D. Baltazar (Seal) _____ (Seal)
Signature Signature

Vincent D. Baltazar, Member
Printed Name Printed Name

Signature (Seal) Signature (Seal)

Printed Name Printed Name

STATE OF: Indiana:
COUNTY OF Elkhart: SS:

Before me, a Notary Public in and for said State and County, personally appeared Vincent D. Baltazar,
the Member of the Grantor(s) in the above conveyance, and acknowledged the execution of the
same on the date aforesaid to be his voluntary act and deed and who, being duly sworn, stated that any representations
contained therein are true.

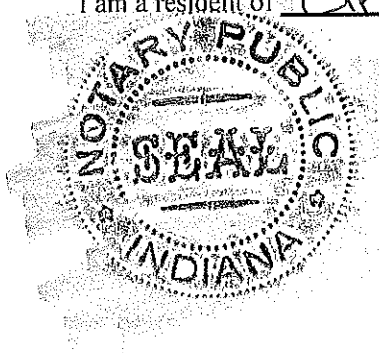
Witness my hand and Notarial Seal this 21 day of July,
2015.

Signature Mary Nichols

Printed Name Mary Nichols

My Commission expires 8-27-16

I am a resident of Elkhart County.



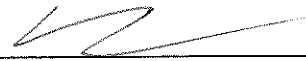
CODE: 5839

PARCEL: 22

This instrument was prepared by:

Paul Schilling
Deputy Attorney General
Attorney No.: 29475-49
Office of the Indiana Attorney General
Indiana Government Center South, Fifth Floor
302 W. Washington Street
Indianapolis, IN 46204

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.



Paul Schilling

Grantee's Tax Mailing Address

Indiana Department of Transportation
100 North Senate Avenue
Indianapolis, IN 46204-2219

Ind. Code § 8-23-7-31

EXHIBIT "A"

Project: 1006199
Parcel: 22 Full Limitation of Access Control Line
Tax ID No: 20-11-09-258-020.000-015
Form: WL-3

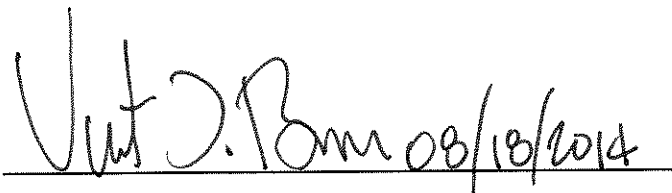
Sheet 1 of 1

Code: 5839

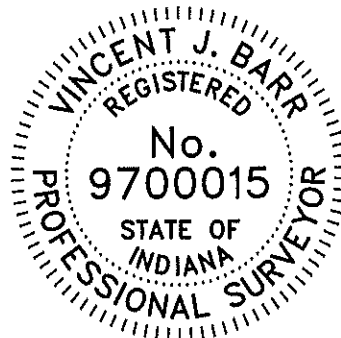
For the purposes of a limited access facility, the permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility (to be known as U.S. 33 and as Project 1006199) to and from the Grantor(s) abutting lands, only along the line or lines shown on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the southwest corner of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county; thence North 89 degrees 06 minutes 18 seconds East 46.65 feet along the south line of said lot to the southwest corner of the grantor(s) land and the POINT OF BEGINNING of this description: thence continuing North 89 degrees 06 minutes 18 seconds East 36.12 feet along the south line of said lot and ENDING at the southeast corner of the grantor(s) land.

The above described access control line restrictions shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation by the following:

 Vincent J. Barr 08/18/2014

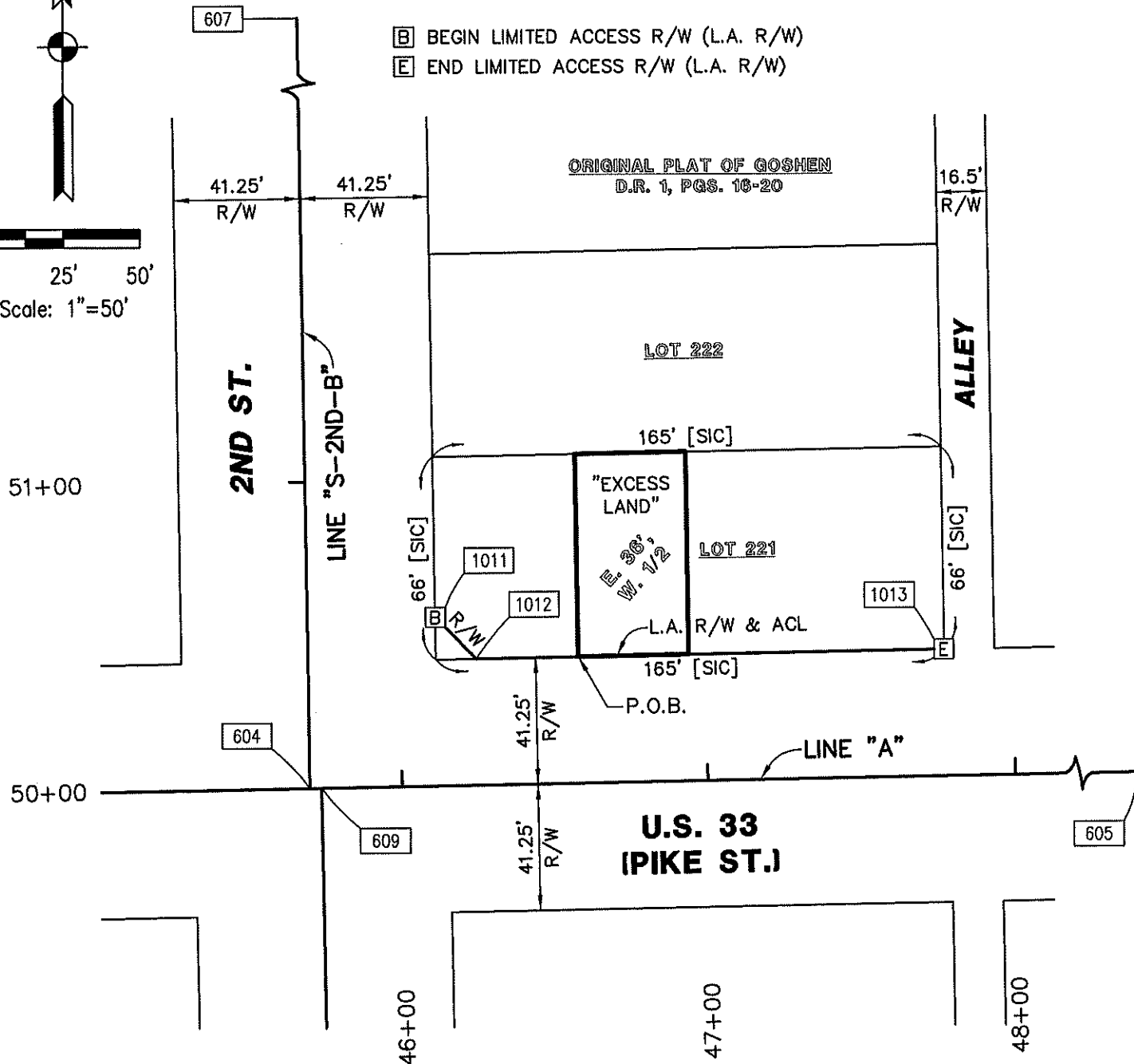
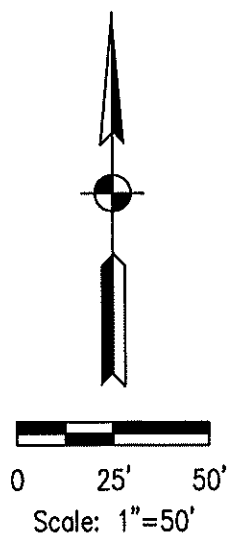
V.S. Engineering, Inc.
Vincent J. Barr, P.S.
Professional Surveyor No. 9700015
State of Indiana



RIGHT-OF-WAY PARCEL PLAT

Prepared for Indiana Department of Transportation
by VS Engineering (Job #12-2878)

- [B] BEGIN LIMITED ACCESS R/W (L.A. R/W)
[E] END LIMITED ACCESS R/W (L.A. R/W)



PARCEL: 22 OWNER: BALTAZAR PROPERTIES, LLC
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN
RANGE: 6 E. HEREIN ARE ENGLISH.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/01/2014
CHECKED BY: V.J. BARR 08/18/2014

INSTR. NO. 2011-07984, DATED 05/26/2011
TAX ID No. 20-11-09-258-020.000-015

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS.

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814
1012	A	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772
604	SEE LOCATION CONTROL ROUTE SURVEY PLAT					
605						
607						
609						

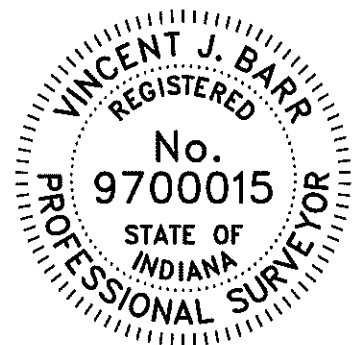
NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

Vincent J. Barr 08/18/2014

VS ENGINEERING, INC.
VINCENT J. BARR, P.S.
PROFESSIONAL SURVEYOR NO. 9700015
STATE OF INDIANA



PARCEL: 22 OWNER: BALTAZAR PROPERTIES, LLC
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH.
RANGE: 6 E.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/01/2014
CHECKED BY: V.J. BARR 08/18/2014

2015-19985

ELKHART COUNTY RECORDER
JENNIFER L. DORIOT
FILED FOR RECORD ON
AS PRESENTED
09/28/2015 12:15 PM

WARRANTY DEED

Form WD-1 20-11-09-258-020.000-015

Revised May-14

Project: 1006199
Code: 5839
Parcel: 22A
Page: 1 of 3

THIS INDENTURE WITNESSETH, That Baltazar Investments, LLC, f/k/a Baltazar Properties, LLC, the Grantor(s) of Elkhart County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Eight Thousand Three Hundred and NO/100 Dollars (\$8,300.00) (of which said sum \$8,300.00 represents land and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Elkhart, State of Indiana, and being more particularly described in the legal description(s) attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

The undersigned represents and warrants that he is a Member of the Grantor; that the Grantor is a limited liability company validly existing in the State of its origin and, where required, in the State where the subject real estate is situated; that the Grantor has full company capacity to convey the real estate interest described; that pursuant to a resolution of the Members of the Grantor or the Operating Agreement of the Grantor he has full authority to execute and deliver this instrument on its behalf and that said authority has not been revoked; that he is therefore, fully authorized and empowered to convey to the State Of Indiana real estate of the Grantor, and that on the date of execution of said conveyance instruments he had full authority to so act; and that all necessary company action for the making of this conveyance has been duly taken.

The grantor(s) assume(s) and agree(s) to pay the 2014 payable 2015 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the State in the event of any non-payment.

Interests in land acquired by the Indiana
Department of Transportation
Grantee mailing address:
100 North Senate Avenue N642
Indianapolis, IN 46204-2219
I.C. 8-23-7-31

NO SALES DISCLOSURE REQUIRED

TAXES PAID

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER
9-28 2015
Pauline F. Hoff AUDITOR
TRANSFER FEE 0
PARCEL NO. 2201

MCV
PT 27

Form WD-1

Revised May-14

Project: 1006199

Code: 5839

Parcel: 22A

Page: 2 of 3

IN WITNESS WHEREOF, the said Grantor(s) executed this instrument
this 21st day of July, 2015

Baltazar Investments, LLC, f/k/a Baltazar Properties, LLC

By: [Signature]
Signature

Vincent D. Baltazar, member
Printed Name and Title

By: _____
Signature

Printed Name and Title

STATE OF: Indiana

COUNTY OF: Elkhart

SS:

Before me, a Notary Public in and for said State and County, personally appeared _____
Vincent D. Baltazar, Member, of the Grantor(s) in the above conveyance, and
acknowledged the execution of the same on the date aforesaid to be voluntary act and deed and who, being duly sworn, stated
that any representations contained therein are true.

Witness my hand and Notarial Seal this 21 day of July, 2015

Signature: [Signature]

Printed Name: Mary Nichols

My Commission expires 8-27-16

I am a resident of Elkhart County.



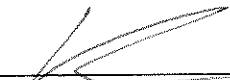
CODE: 5839

PARCEL: 22A

This instrument was prepared by:

Paul Schilling
Deputy Attorney General
Attorney No.: 29475-49
Office of the Indiana Attorney General
Indiana Government Center South, Fifth Floor
302 W. Washington Street
Indianapolis, IN 46204

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.



Paul Schilling

Grantee's Tax Mailing Address

Indiana Department of Transportation
100 North Senate Avenue
Indianapolis, IN 46204-2219

Ind. Code § 8-23-7-31

EXHIBIT "A"

Project: 1006199
Parcel: 22A Excess Land
Tax ID No: 20-11-09-258-020.000-015
Form: WD-1

Sheet 1 of 1

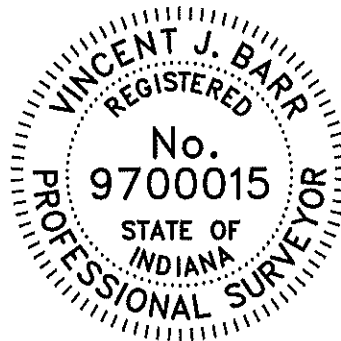
Code: 5839

The east thirty-six (36) feet off of the West Half (W1/2) of Lot Number Two Hundred Twenty-one (221) in the Original Plat to the City of Goshen, Indiana.

This description was prepared for the Indiana Department of Transportation by the following:

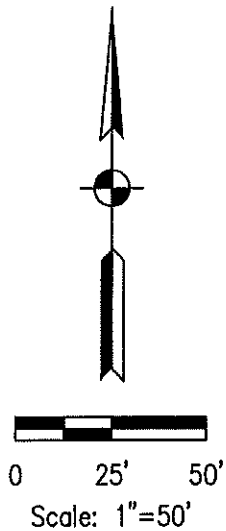
Vincent J. Barr 08/18/2014

V.S. Engineering, Inc.
Vincent J. Barr, P.S.
Professional Surveyor No. 9700015
State of Indiana



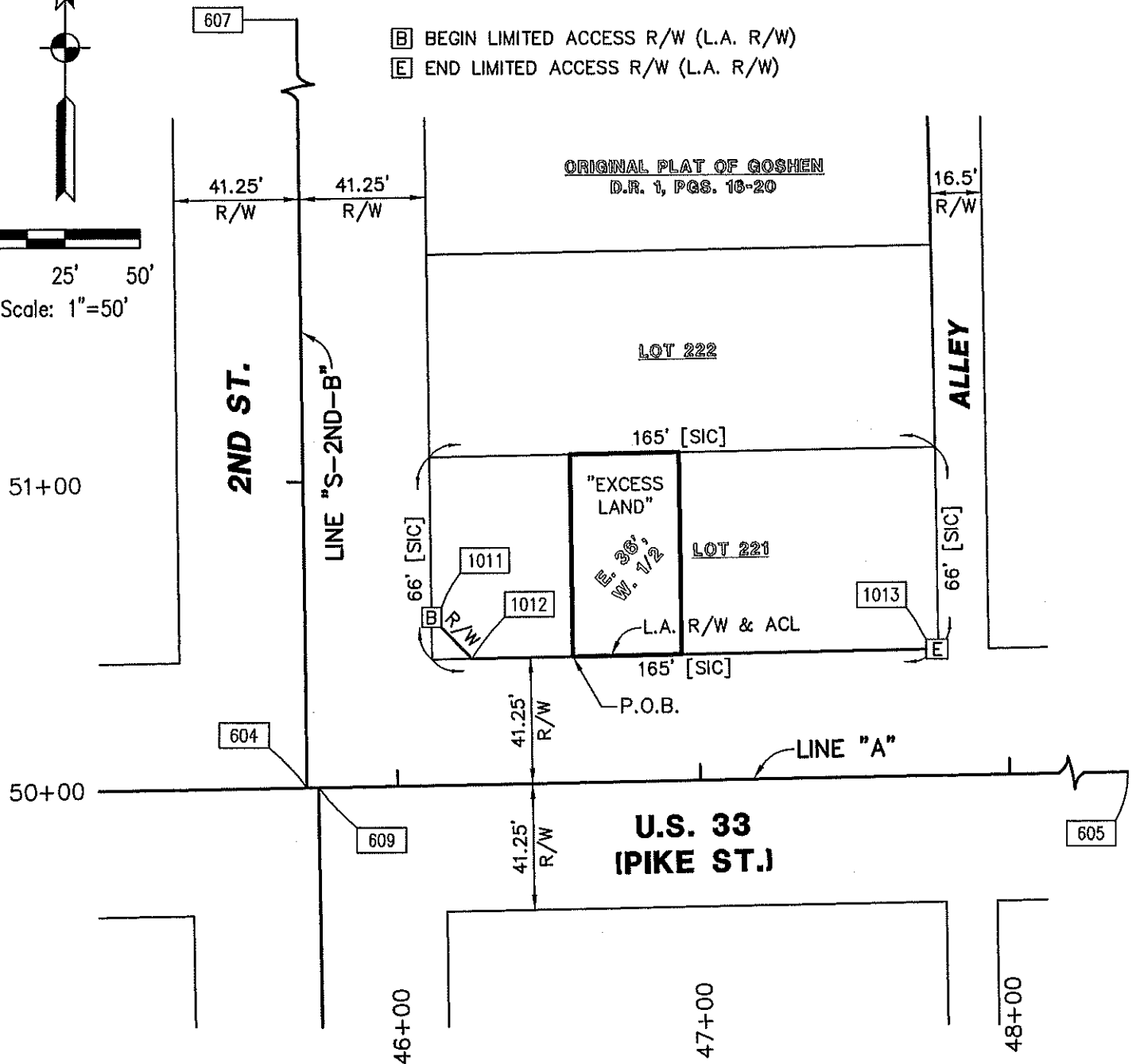
RIGHT-OF-WAY PARCEL PLAT

Prepared for Indiana Department of Transportation
by VS Engineering (Job #12-2878)



- [B] BEGIN LIMITED ACCESS R/W (L.A. R/W)
[E] END LIMITED ACCESS R/W (L.A. R/W)

ORIGINAL PLAT OF GOSHEN
D.R. 1, PGS. 16-20



PARCEL: 22 OWNER: BALTAZAR PROPERTIES, LLC
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN
RANGE: 6 E. HEREIN ARE ENGLISH.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/01/2014
CHECKED BY: V.J. BARR 08/18/2014

INSTR. NO. 2011-07984, DATED 05/26/2011
TAX ID No. 20-11-09-258-020.000-015

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS.

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814
1012	A	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772
604	SEE LOCATION CONTROL ROUTE SURVEY PLAT					
605						
607						
609						

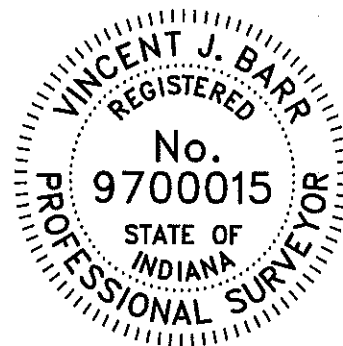
NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

Vincent J. Barr 08/18/2014

VS ENGINEERING, INC.
VINCENT J. BARR, P.S.
PROFESSIONAL SURVEYOR NO. 9700015
STATE OF INDIANA



PARCEL: 22 OWNER: BALTAZAR PROPERTIES, LLC
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH.
RANGE: 6 E.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/01/2014
CHECKED BY: V.J. BARR 08/18/2014

STATE OF INDIANA
COUNTY OF ELKHART

) IN THE ELKHART CIRCUIT COURT
) SS:
) CAUSE NO. 20C01-1507-PL-000186

STATE OF INDIANA,

Plaintiff,

v.

STACK HOLDINGS LLC, JENNIFER HOMEWOOD,
NATHANIEL SLATER, ELKHART COUNTY FARM
BUREAU CREDIT UNION n/k/a INTERRA CREDIT
UNION, AND ELKHART COUNTY, INDIANA,

Defendants.

FILED

JUL 27 2016

CLERK ELKHART
CIRCUIT COURT

AGREED FINDINGS AND JUDGMENT

Plaintiff, State of Indiana (the "State"), Defendant, Stack Holdings LLC ("Stack Holdings"), and Defendant, Elkhart County, Indiana (collectively, the "Parties"), all by counsel, now jointly move the Court for Judgment in this case. The Court, having examined the pleadings and being duly advised, now finds:

1. The State filed its Complaint for Appropriation of Real Estate (the "Complaint") on or about July 27, 2015, seeking to acquire certain interests in real estate owned by Stack Holdings.
2. Defendant, Elkhart County, Indiana appeared by counsel on or about August 10, 2015.
3. Stack Holdings appeared by counsel on or about August 20, 2015.
4. Defendant, Elkhart County Farm Bureau Credit Union n/k/a Interra Credit Union ("Interra"), appeared by counsel and answered the Complaint on or about August 31, 2015.
5. Defendants Jennifer Homewood and Nathaniel Slater have not appeared in this matter.
6. The Parties agree that the Court has jurisdiction over the subject matter of this case and the parties herein.

7. The Court entered its Order of Appropriation and Appointment of Appraisers on September 15, 2015, in which it appointed three (3) disinterested appraisers, pursuant to Ind. Code § 32-24-1-7(c), to assess total just compensation due the Defendants for the State's appropriation in this case.
8. On or about November 30, 2015, the court-appointed appraisers filed their report finding that the defendants are entitled to total just compensation of Two Hundred Ten Thousand and No/100 Dollars (\$210,000.00).
9. On or about December 11, 2015, Stack Holdings filed Defendant, Stack Holdings, LLC's Exceptions to Report of Appraisers, and Request for Jury Trial.
10. The State filed its Exceptions and Demand for Jury Trial on or about December 28, 2015.
11. On January 4, 2016, the State deposited funds equal to the amount of the court-appointed appraisers' award and appraisers' fees with the Clerk of the Court.
12. On or about January 29, 2016, Stack Holdings filed its Unopposed Verified Petition to Withdraw Deposit from the Clerk, which Petition was granted by the Court the same day. Pursuant to the Order Granting Unopposed Withdrawal of Deposit, One Hundred Forty-five Thousand Seven Hundred Two and 38/100 Dollars (\$145,702.38) was disbursed to Interra; and the remaining funds in the amount of Sixty-four Thousand Two Hundred Ninety-seven and 62/100 Dollars (\$64,297.62) was released to Stack Holdings.
13. On or about March 1, 2016, Interra filed its Motion for Dismissal of Defendant, Interra Credit Union. The Court granted the dismissal of Interra by Order dated March 3, 2016.
14. The State and Stack Holdings mediated this matter with mediator Tom Lemon on April 21, 2016. At the mediation, the parties reached an agreement to settle this matter for the total just compensation amount of Two Hundred Thirty Thousand and No/100 Dollars (\$230,000.00).
15. The Parties further agree that the real estate and real estate interests identified as Parcels 23, 23A, and 28A, all as more particularly described in the attached Exhibit A and Exhibit B, are

hereby appropriated by the State, and all of Stack Holdings' fee simple interest and rights of possession in said real estate shall immediately pass free and clear to the State of Indiana.

16. The Parties further agree that the State hereby appropriates a temporary highway easement to enter upon and have possession of the real estate identified as Parcel 28D, more particularly described in the attached Exhibit C, for the purpose of building removal and clearing as part of Project No. 9222424, which said temporary easement shall be extinguished, become void and revert to Stack Holdings or its successor in title upon completion of said Project.
17. The Parties further agree that the defendants shall recover for the real estate interests acquired by the State and any and all damages resulting from that acquisition, total just compensation of Two Hundred Thirty Thousand and No/100 Dollars (\$230,000.00).
18. All parties who filed Exceptions hereby withdraw those Exceptions.
19. All parties who requested trial by jury withdraw their requests, and there being no trial in this matter, no party is entitled to any interest and/or attorney's fees and costs.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the State has the right to appropriate the real estate interests owned by Stack Holdings, as well as the real estate interests owned and claimed by the other named defendants in this action, if any; that the State has the authority to appropriate the real estate interests herein; that the Court has jurisdiction over the subject matter of this case and the parties herein; and this settlement is fair and in the best interests of the parties.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the real estate and real estate interests identified as Parcels 23, 23A, and 28A, all as more particularly described in the attached Exhibit A and Exhibit B, are hereby appropriated by the State, and all of Stack Holdings' fee simple interest and rights of possession in said real estate shall immediately pass free and clear to the State of Indiana.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the State hereby appropriates a temporary highway easement to enter upon and have possession of the real estate identified

as Parcel 28D, more particularly described in the attached Exhibit C, for the purpose of building removal and clearing as part of Project No. 9222424, which said temporary easement shall be extinguished, become void and revert to Stack Holdings or its successor in title upon completion of said Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Defendants shall have and recover as total just compensation for the State's appropriation in this case the amount of Two Hundred Thirty Thousand and No/100 Dollars (\$230,000.00) in full satisfaction of all of Defendants' claims and damages in this case.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the State is hereby ordered to deposit Twenty Thousand and No/100 Dollars (\$20,000.00) with the Clerk of the Court for the benefit of Stack Holdings, which amount, together with the Two Hundred Ten Thousand and No/100 Dollars (\$210,000.00) previously deposited by the State, equals the total amount of just compensation in this case in full satisfaction of this judgment and any and all claims of the Defendants. Upon receipt of said deposit, the Clerk of the Court shall pay the amount of Twenty Thousand and No/100 Dollars (\$20,000.00) to Stack Holdings, LLC, in care of its attorney Tonny D. Storey, SEVER STOREY, LLP, 881 3rd Ave. SW, Suite 101, Carmel, IN 46032.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Defendant, Elkhart County, Indiana, by agreement, shall recover nothing by way of the State's appropriation in this case.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Defendants Jennifer Homewood and Nathaniel Slater, not having appeared, shall recover nothing by way of the State's appropriation in this case.

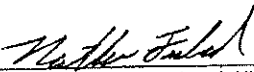
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that there being no trial, no party herein is entitled to pre-judgment interest or attorney's fees and costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Clerk of the Court shall promptly send two (2) certified copies of this Agreed Findings and Judgment to the undersigned Deputy Attorney General who upon receipt will forward with a completed Indiana Sales

Disclosure Form to the Elkhart County, Indiana Assessor to be reviewed and forwarded to the Auditor and Recorder of Elkhart County Indiana; that said Auditor shall remove the above-described fee simple interests in real estate from the tax records and rolls of Elkhart County and cancel all Tax Year 2016 and subsequent years' taxes thereon; and that said Auditor shall submit evidence of the property duly entered for transfer, by United States mail, to the undersigned Deputy Attorney General; and that said Recorder shall, pursuant to IC 8-23-7-31 and without payment of fee, record the transfer of the above-described real estate interests to the State of Indiana; and that said Recorder shall submit evidence of that recorded transfer, by United States mail, to Nathaniel L. Freeland, Deputy Attorney General at the Office of the Attorney General, Indiana Government Center South, Fifth Floor, 302 West Washington Street, Indianapolis, IN 46204-2770.

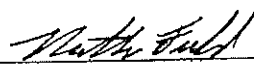
CERTIFICATION OF COMPLIANCE WITH TRIAL RULE 5(G)

I hereby certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).


Nathaniel L. Freeland (#31714-34)
Deputy Attorney General

DECLARATION OF COMPLIANCE WITH IC 36-2-11-15

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.


Nathaniel L. Freeland (#31714-34)
Deputy Attorney General

AGREED TO AND APPROVED BY:

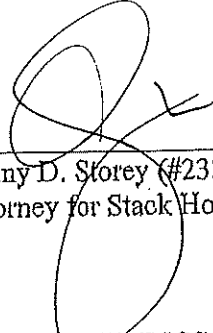
By: 

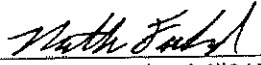
Gordon Lord (#8906-20)

Attorney for Elkhart County, Indiana

AGREED TO AND APPROVED BY:

GREGORY F. ZOELLER
Attorney General of Indiana
Attorney Reg. No. 1958-98

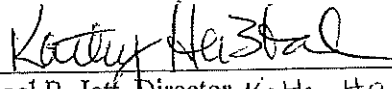
By: 
Tony D. Storey (#23377-49)
Attorney for Stack Holdings, LLC

By: 
Nathaniel L. Freeland (#31714-34)
Deputy Attorney General

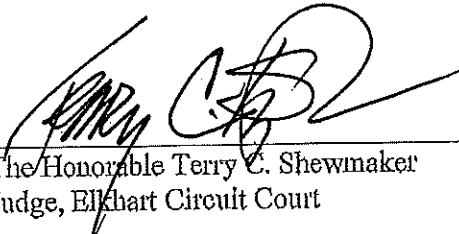
STACK HOLDINGS, LLC

By: 
Debbie J. Stack, Managing Member

STATE OF INDIANA, PLAINTIFF

By: 
~~Michael B. Jeff, Director~~ Kathy Heistand
Real Estate Division Acting Director
Indiana Department of Transportation

ALL HEREBY ORDERED THIS 28 DAY OF July, 2016


The Honorable Terry C. Shewmaker
Judge, Elkhart Circuit Court

DISTRIBUTION ATTACHED

Copies to:

Nathaniel L. Freeland
Office of Indiana Attorney General
Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, IN 46204-2770

Tonny D. Storey
Phil D. Sever
SEVER STOREY, LLP
881 3rd Ave. SW, Suite 101
Carmel, IN 46032

R. Gordon Lord
Elkhart County Attorney
130 N. Main St.
P.O. Box 575
Goshen, IN 46527-0575

Elkhart County Recorder
117 North 2nd Street Room 205
Goshen, IN 46526

Elkhart County Auditor
117 2nd Street, 2nd Floor
Goshen, IN 46526

EXHIBIT "A"

Project: 1006199
Parcel: 23 Full Limitation of Access Control Line
Tax ID No: 20-11-09-258-021,000-015
Form: WL-3

Sheet 1 of 1

Code: 5839

For the purposes of a limited access facility, the permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility (to be known as U.S. 33 and as Project 1006199) to and from the Grantor(s) abutting lands, only along the line or lines shown on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the southwest corner of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county; thence North 89 degrees 06 minutes 18 seconds East 82.77 feet along the south line of said lot to the southwest corner of the grantor(s) land and the POINT OF BEGINNING of this description: thence continuing North 89 degrees 06 minutes 18 seconds East 41.39 feet along said south line and ENDING at the southeast corner of the grantor(s) land.

The above described access control line restrictions shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation by the following:

Vincent J. Barr 08/16/2014

V.S. Engineering, Inc.
Vincent J. Barr, P.S.
Professional Surveyor No. 9700015
State of Indiana



EXHIBIT "A"

Project: 1006199
Parcel: 23A Excess Land
Tax ID No: 20-11-09-258-021.000-015
Form: WD-1

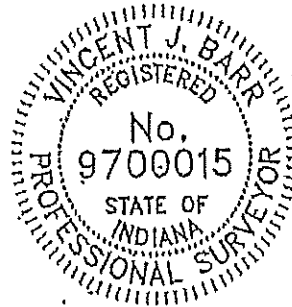
Sheet 1 of 1
Code: 5839

The West One-half of the East One-half of Lot Numbered Two Hundred Twenty-one (221), as the said Lot is known and designated on the recorded Plat of the Original Plat of the Town, now City of Goshen, Indiana; said Plat being recorded in Deed Record 1, page 17, in the Office of the Recorder of Elkhart County, Indiana.

This description was prepared for the Indiana Department of Transportation by the following:

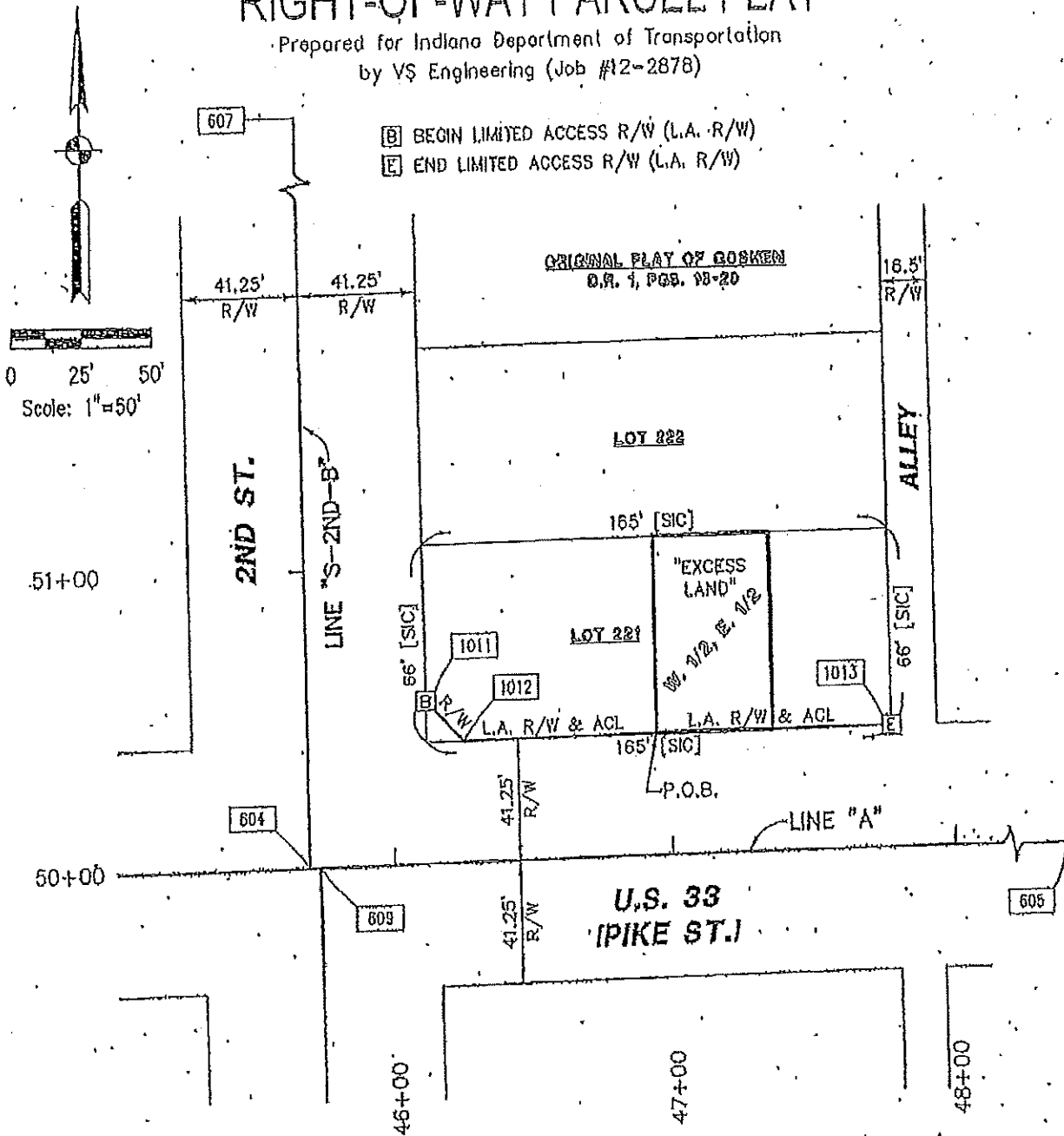
Vincent J. Barr 08/16/2014

V.S. Engineering, Inc.
Vincent J. Barr, P.S.
Professional Surveyor No. 9700015
State of Indiana



RIGHT-OF-WAY PARCEL PLAT

Prepared for Indiana Department of Transportation
by V&S Engineering (Job #12-2878)



PARCEL: 23
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N.
RANGE: 6 E.

OWNER: STACK HOLDINGS LLC

DES. NO.: 1006199
DRAWN BY: J.A. GARZA 07/30/2014
CHECKED BY: V.J. BARR 08/16/2014

INSTR. NO. 2013-11971, DATED 08/01/2012
TAX ID No. 20-11-09-258-021.000-015

NOTE: DIMENSIONS SHOWN
HEREIN ARE ENGLISH.

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS.

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Ll./Rt.	Northing	Easting
1011	A	46+11.89	55.00'	LL	19,768.4653	81,325.7814
1012	A	46+25.00	41.25'	LL	19,754.9218	81,339.1091
1013	A	47+77.39	41.25'	LL	19,757.3020	81,491.4772
604	SEE LOCATION CONTROL ROUTE SURVEY PLAT					
605						
607						
609						

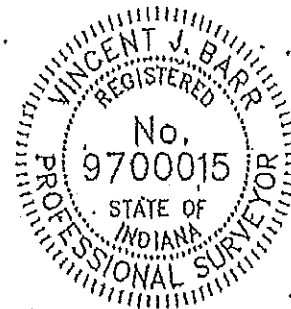
NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (Incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

Vincent J. Barr 08/16/2014

VS ENGINEERING, INC.
VINCENT J. BARR, P.S.
PROFESSIONAL SURVEYOR NO. 9700015
STATE OF INDIANA



PARCEL: 23 OWNER: STACK HOLDINGS LLC
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N.
RANGE: 6 E.

NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH.

DES. NO.: 1006199
DRAWN BY: J.A. GARZA 07/30/2014
CHECKED BY: V.J. BARR 08/16/2014

EXHIBIT "A"

Sheet 1 of 2

Project: 9222424
Code: 4483
Parcel 28A Fee Simple
Form WD-1 Encumbers Key # 20-11-09-265-013.000-015

Lot Number Eighty (80) as the said Lot is known and designated on the recorded ORIGINAL PLAT OF THE TOWN, NOW CITY, OF GOSHEN, INDIANA, an Addition in Elkhart Township; said Plat being recorded in Deed Record 1, page 17 in the Office of the Recorder of Elkhart County, Indiana, excepting the following described part of said lot as follows:

Beginning at the Northwest corner of said Lot, running thence South along the West line thereof Fifty-four (54) feet, more or less, to a point Twelve (12) feet North of the Southwest corner of said Lot; thence East parallel with the South line of said Lot thirty and One-half (30-1/2) feet; thence North on a line parallel with the West line of said Lot Fifty-four (54) feet, more or less, to the North line of said Lot; thence West along the North line of said Lot which is the South line of Pike Street, Thirty and One-half (30-1/2) feet to the place of beginning.

ALSO:

(A PART OF) Lot Number Eight-one (81) as the said lot is known and designated on the recorded ORIGINAL PLAT OF THE TOWN, NOW CITY, OF GOSHEN, INDIANA, an addition in Elkhart Township; said Plat being recorded in Deed Record 1, page 17 in the Office of the Recorder of Elkhart County, Indiana, SPECIFICALLY the North Twelve (12) Feet thereof.

EXCEPTING THEREFROM:

A part of Lot 80 and a part of the North 12 feet of Lot 81 in the Original Plat of the Town, Now City of Goshen, Indiana, a subdivision in the East Half of Section 9, Township 36 North, Range 6 East, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Page 17 in the Office of the Recorder of Elkhart County Indiana, described as

EXHIBIT "A"

Project: 9222424
Code: 4483
Parcel 28A Fee Simple
Form WD-1 Encumbers Key # 20-11-09-265-013.000-015

Sheet 2 of 2

follows: Beginning at a point on the east line of said North 12 feet South 0 degrees 57 minutes 11 seconds East 8.98 feet from the northeast corner of said North 12 feet, said point of beginning being the point designated "386" on said Exhibit "B"; thence South 0 degrees 57 minutes 11 seconds East 3.02 feet along said east line to the southeast corner of said North 12 feet; thence South 89 degrees 09 minutes 50 seconds West 133.01 feet along the south line of said North 12 feet to the southwest corner of said North 12 feet; thence North 0 degrees 52 minutes 03 seconds West 25.08 feet along the west line of said North 12 feet and said Lot 80 to a northwest corner of the grantor's land; thence North 89 degrees 06 minutes 44 seconds East 30.50 feet (30-1/2 feet by Instrument No. 2015-05318) to a corner of the grantor's land; thence North 0 degrees 52 minutes 03 seconds West 14.13 feet along a west line of the grantor's land; thence South 71 degrees 23 minutes 03 seconds East 108.73 feet to the point of beginning and containing 2,931 square feet, more or less, resulting in a net taking of 5,718 square feet, more or less.

This description was prepared for the Indiana Department of Transportation by DLZ Indiana, LLC and certified by James Michael Lietzan, Indiana Registered Land Surveyor, License No. S0475, on the 28th day of April, 2015.

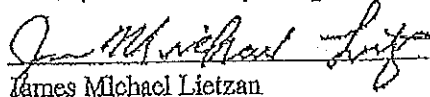

James Michael Lietzan

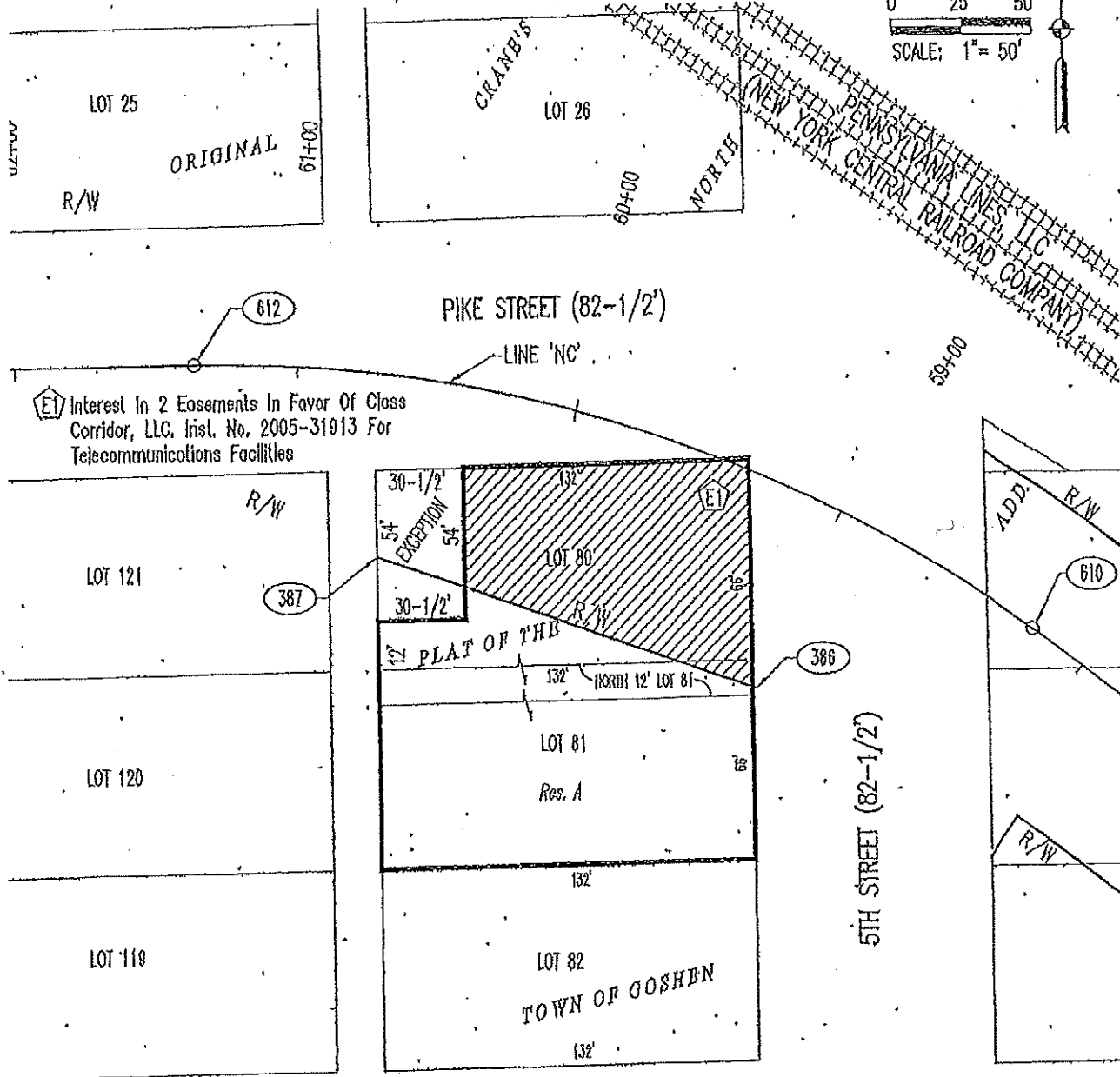


EXHIBIT "B"

RIGHT-OF-WAY PARCEL PLAT

Prepared for the Indiana Department of Transportation
By DLZ Indiana, LLC (Job No. 0861-2731-50)



SHEET 1 OF 2



This plat was prepared from information obtained from the recorder's office and other sources which were not necessarily checked by a field survey.

ENCUMBERS KEY NO.:
20-11-09-265-013,000-015

Revised 3-17-2015 by JML
Revised 4-28-2015 by JML

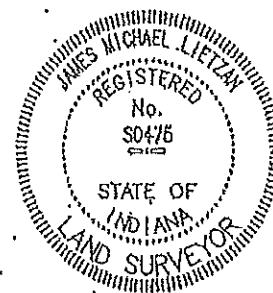
PARCEL: 28 CODE: 4483 DES. NO.: 9222424 PROJECT: 9222424 ROAD: U.S. 33 COUNTY: ELKHART SECTION: 9 TOWNSHIP: 36N RANGE: 6E	OWNER: STACK HOLDINGS LLC INSTRUMENT NO. 2013-11974 INSTRUMENT NO. 2015-05318 INSTRUMENT NO. 2015-05318 DEED RECORD 1, PAGE 17 DEED RECORD 1, PAGE 39	DATED: 1-28-2013 DATED: 1-28-2013 DATED: 3-23-2015 SIGNED: 7-19-1831 SIGNED: 6-9-1832	DRAWN BY: S.M. HARTMAN, 1-2014 CHECKED BY: J.M. LIETZAN, 1-2014
 Hatched Area Is The Approximate Taking	Dimensions shown are from the above listed record documents.	 DLZ INDIANA, LLC 2211 EAST JEFFERSON BOULEVARD SOUTH BEND, INDIANA 46615 574-236-4400	


PARCEL COORDINATE CHART					
POINT	CENTERLINE	STATION	OFFSET	NORTHING	EASTING
610'	'NC'				
612'	'NC'				
386	'NC'	+R(59+02.43)	66.00' LI	109619.4160	82520.5400
387	'NC'	+R(60+64.15)	61.00' LI	109664.4530	82386.8371
* See Location Control Route Survey Plat			Note: Stations & Offset control over both Northing & Easting coordinates and Bearings & Distances.		

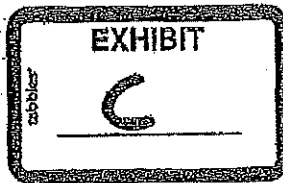
SURVEYOR'S STATEMENT To the best of my knowledge and belief, this plat, together with the Location Control Route Survey Plat recorded on 12/20/2013 as Instrument No. 2013-30066 in the Office of the Recorder of Elkhart County, Indiana, (incorporated herein and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12, (Rule 12).

James Michael Lietzan 04-28-2015
 James Michael Lietzan Date
 Indiana Registered Land Surveyor No. S0475

Revised 3-17-2015 by JML
 Revised 4-28-2015 by JML



PARCEL: .28 CODE: 4483 DES. NO.: 9222424 PROJECT: 9222424 ROAD: U.S. 33 COUNTY: ELKHART SECTION: 9 TOWNSHIP: 36N RANGE: 6E	OWNER: STACK, JAMES W. ET UX	DRAWN BY: S.M. HARTMAN, 1-2014 CHECKED BY: J.M. LIETZAN, 1-2014  2211 EAST JEFFERSON BOULEVARD SOUTH BEND, INDIANA 46615 574-236-4400
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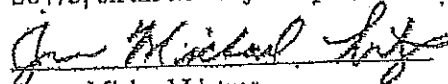


Sheet 1 of 1

Project: 9222424
Code: 4483
Parcel 28D Temporary Right of Way For Building Removal and Clearing
Form T-3

A part of Lot 80 and Lot 81 in the Original Plat of the Town, Now City of Goshen, Indiana, a subdivision in the East Half of Section 9, Township 36 North, Range 6 East, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Page 17 in the Office of the Recorder of Elkhart County Indiana, described as follows: Beginning at point on the east line of said Lot 81 South 0 degrees 57 minutes 11 seconds East 8.98 feet from the northeast corner of said Lot 81; thence South 0 degrees 57 minutes 11 seconds East 58.22 feet to the southeast corner of said Lot 81; thence South 89 degrees 12 minutes 56 seconds West 133.09 feet along the south line of said Lot 81 to the southwest corner of said Lot 81; thence North 0 degrees 52 minutes 03 seconds West 80.15 feet along the west line of said Lot 81 and said Lot 80 to a northwest corner of the grantor's land; thence North 89 degrees 06 minutes 44 seconds East 30.50 feet (30-1/2 feet by Instrument No. 2015-05318) to a corner of the grantor's land; thence North 0 degrees 52 minutes 03 seconds West 14.13 feet along a west line of the grantor's land; thence South 71 degrees 23 minutes 03 seconds East 108.73 feet to the point of beginning and containing 10,266 square feet, more or less.

This description was prepared for the Indiana Department of Transportation by DLZ Indiana, LLC and certified by James Michael Lietzan, Indiana Registered Land Surveyor, License No. S6475, on the 28th day of April, 2015.


James Michael Lietzan



2015-22173

ELKHART COUNTY RECORDER
JENNIFER L. DORIOT
FILED FOR RECORD ON
AS PRESENTED
10/26/2015 3:23 PM



WARRANTY DEED
LIMITATION OF ACCESS CONTROL LINE

Form WL-3

Revised 07/2014

2011-09-258-022,000-015

Project: 1006199

Code: 5839

Parcel: 24

Page: 1 of 3

THIS INDENTURE WITNESSETH, That James E. Bechtel and Suetta Bechtel, husband and wife, an undivided one-half interest and James A. Bechtel, an undivided one-half interest, the Grantor(s) of Elkhart County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Fifty Seven Thousand Nine Hundred and no/100 Dollars (\$57,900.00) representing the acquisition of access rights and damages by reason of conveyance of the said rights as herein provided, and other valuable consideration, the receipt of which is hereby acknowledged, the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as US 33 and as Project 1006199 to and from the Grantor(s) remaining lands where they abut a certain limited access control line situated on Real Estate located in the County of Elkhart, State of Indiana, the said line being more particularly described in the legal description(s) attached hereto as Exhibit "A" and the Right of Way Parcel Plat attached hereto as Exhibit "B", which said exhibits are incorporated herein by reference. The limitation of access granted herein is a covenant running with the land and shall be binding on the Grantor(s) and on all successors in title to the said abutting lands.

This conveyance is subject to any and all easements, conditions and restrictions of record.

MCV
P.A.**TAXES PAID**

Interests in land acquired by the Indiana
Department of Transportation
Grantee mailing address:
100 North Senate Avenue N642
Indianapolis, IN 46204-2219
I.C. 8-23-7-31

NO SALES DISCLOSURE REQUIRED

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER
10-26-2015
Pauline E. Groff AUDITOR
4841
TRANSFER FEE 0
PARCEL NO. ✓

Form WL-3
Revised 07/2014

Project:	1006199
Code:	5839
Parcel:	24
Page:	2 of 3

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the access rights conveyed herein are conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the limited access control line or any right of way, roadway or roadway appurtenances established in relationship thereto. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

The grantor(s) assume(s) and agree(s) to pay the 2014 payable 2015 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the State in the event of any non-payment.

Form WL-3
Revised 07/2014

Project: 1006199
Code: 5839
Parcel: 24
Page: 3 of 3

IN WITNESS WHEREOF, the said Grantor(s) have executed this instrument
this 10th day of September, 2015.

James E. Bechtel and Suetta Bechtel, husband and wife, an undivided one-half interest and James A. Bechtel, an undivided one-half interest

James E Bechtel (Seal) Suetta Bechtel (Seal)
Signature Signature

James E. Bechtel, husband
Printed Name

Suetta Bechtel, wife
Printed Name

James A Bechtel (Seal) _____ (Seal)
Signature Signature

James A. Bechtel
Printed Name

Printed Name

STATE OF: IN :

SS:

COUNTY OF ELKHART :

Before me, a Notary Public in and for said State and County, personally appeared

James E. Bechtel and Suetta Bechtel, husband and wife, an undivided one-half interest and James A. Bechtel, an undivided one-half interest, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be their voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 10th day of September,
2015

A Hartzler
Signature
Printed Name Gregory A. Hartzler

My Commission expires June 12, 2017

I am a resident of Elkhart County.


CODE: 5839

PARCEL: 29

This instrument was prepared by:

Nicolette Mendenhall
Deputy Attorney General
Attorney No. 27964-49
Office of the Indiana Attorney General
Indiana Government Center South, 5th Floor
302 West Washington Street
Indianapolis, Indiana 46204

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.



Nicolette Mendenhall

Grantee's Tax Mailing Address:

Indiana Department of Transportation
100 North Senate Avenue
Indianapolis, IN 46204-2219

Indiana Code § 8-23-7-31

EXHIBIT "A"

Project: 1006199
Parcel: 24 Full Limitation of Access Control Line
Tax ID No: 20-11-09-258-022.000-015
Form: WL-3

Sheet 1 of 1

Code: 5839

For the purposes of a limited access facility, the permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility (to be known as U.S. 33 and as Project 1006199) to and from the Grantor(s) abutting lands, only along the line or lines shown on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the southwest corner of Lot 221 in the Original Plat of the Town of Goshen, a subdivision in Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, Indiana, the plat of which subdivision is recorded in Deed Record 1, Pages 16-20 in the Office of the Recorder of said county; thence North 89 degrees 06 minutes 18 seconds East 124.16 feet along the south line of said lot to the southwest corner of the grantor(s) land and the POINT OF BEGINNING of this description: thence continuing North 89 degrees 06 minutes 18 seconds East 41.39 feet along said south line and TERMINATING at the southeast corner of said lot designated as point "1013" on said Parcel Plat.

The above described access control line restrictions shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation by the following:

Vincent J. Barr 08/18/2014

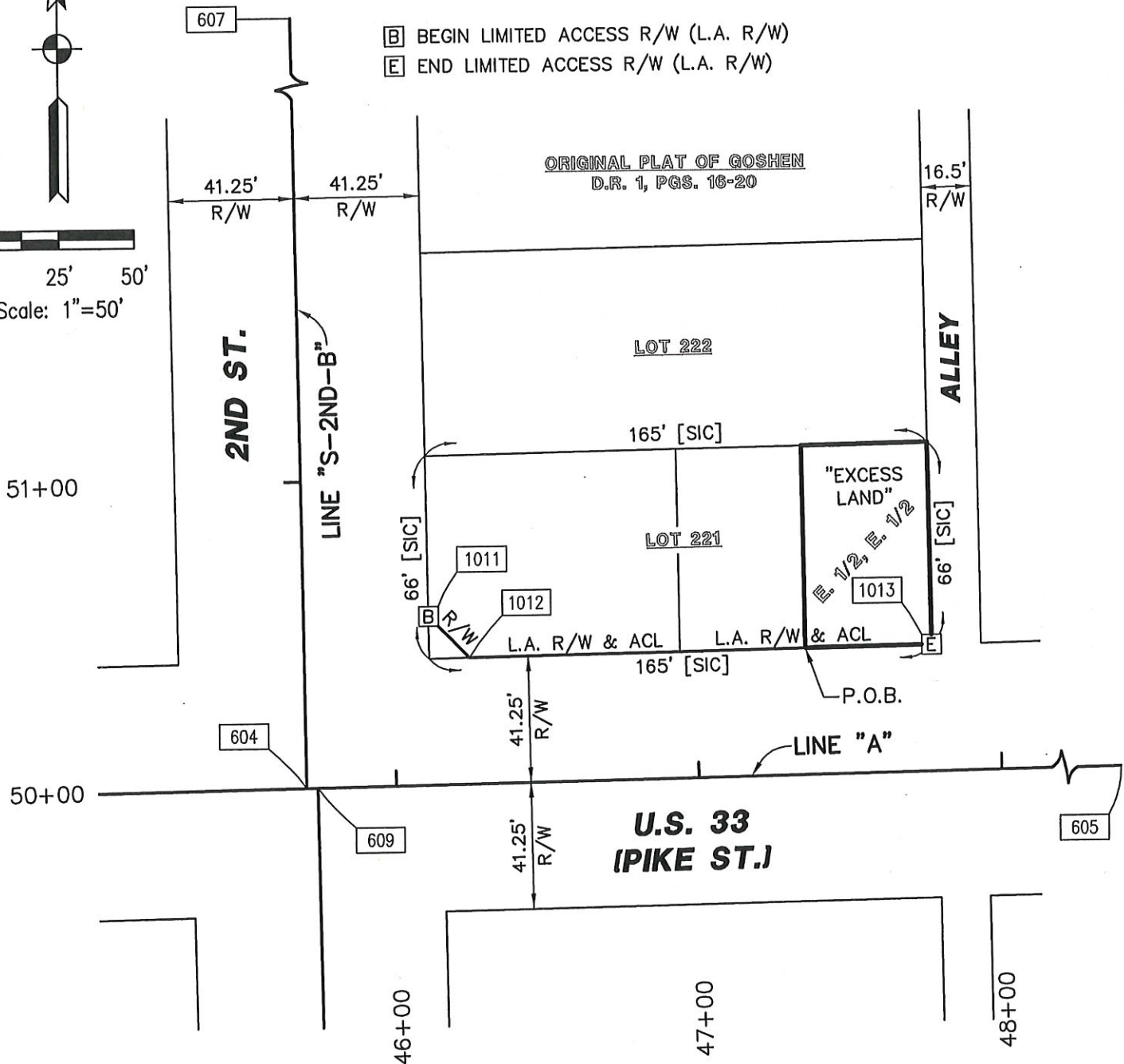
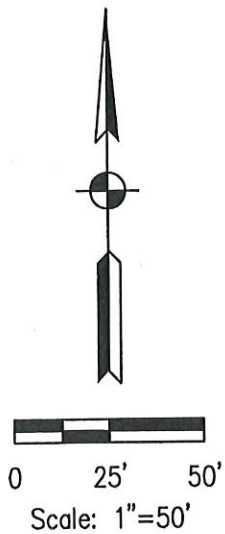
V.S. Engineering, Inc.
Vincent J. Barr, P.S.
Professional Surveyor No. 9700015
State of Indiana



RIGHT-OF-WAY PARCEL PLAT

Prepared for Indiana Department of Transportation
by VS Engineering (Job #12-2878)

- [B] BEGIN LIMITED ACCESS R/W (L.A. R/W)
[E] END LIMITED ACCESS R/W (L.A. R/W)



PARCEL: 24 OWNER: BECHTEL, JAMES E. ET AL.
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN
RANGE: 6 E. HEREIN ARE ENGLISH.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/04/2014
CHECKED BY: V.J. BARR 08/18/2014

INSTR. NO. 89-006083, DATED 04/11/1989
INSTR. NO. 89-006084, DATED 04/11/1989
TAX ID No. 20-11-09-258-022.000-015

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS.

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814
1012	A	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772
604	SEE LOCATION CONTROL ROUTE SURVEY PLAT					
605						
607						
609						

NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

Vincent J. Barr 08/18/2014

VS ENGINEERING, INC.
VINCENT J. BARR, P.S.
PROFESSIONAL SURVEYOR NO. 9700015
STATE OF INDIANA



PARCEL: 24 OWNER: BECHTEL, JAMES E. ET AL.
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH.
RANGE: 6 E.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/04/2014
CHECKED BY: V.J. BARR 08/18/2014

2015-22172

ELKHART COUNTY RECORDER
JENNIFER L. DORIOT
FILED FOR RECORD ON
AS PRESENTED
10/26/2015 3:23 PM



Form WD-1

Revised May-14

20-11-09-258-022,000-015

WARRANTY DEED

Project: 1006199
Code: 5839
Parcel: 24A
Page: 1 of 2

THIS INDENTURE WITNESSETH, That James E. Bechtel and Suetta Bechtel, husband and wife, an undivided one-half interest and James A. Bechtel, an undivided one-half interest, the Grantor(s) of Elkhart County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Nine Thousand Six Hundred and no/100 Dollars (\$9,600.00) (of which said sum \$9,600.00 represents land and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Elkhart, State of Indiana, and being more particularly described in the legal description(s) attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

The grantor(s) assume(s) and agree(s) to pay the 2014 payable 2015 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the State in the event of any non-payment.

NO SALES DISCLOSURE REQUIREDMav
pta**TAXES PAID**

Interests in land acquired by the Indiana
Department of Transportation
Grantee mailing address:
100 North Senate Avenue N642
Indianapolis, IN 46204-2219
I.C. 8-23-7-31

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

10-26 2015
Pauline E. Groff AUDITOR
4840

TRANSFER FEE 0
PARCEL NO. ✓

Form WD-1
Revised May-14

Project: 1006199
Code: 5839
Parcel: 24A
Page: 2 of 2

IN WITNESS WHEREOF, the said Grantor(s) have executed this instrument
this 10th day of September, 2015.

James E. Bechtel and Suetta Bechtel, husband and wife, an undivided one-half interest and James A. Bechtel, an undivided one-half interest

James E Bechtel
James E. Bechtel, husband

Suetta Bechtel
Suetta Bechtel, wife

James A Bechtel
James A. Bechtel

STATE OF: INDIANA:

SS:

COUNTY OF ELKHART:

Before me, a Notary Public in and for said State and County, personally appeared James E. Bechtel and Suetta Bechtel, husband and wife, an undivided one-half interest and James A. Bechtel, an undivided one-half interest, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be their voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 10th day of September, 2015.

Signature: Gregory A. Hartzler

Printed Name Gregory A. Hartzler

My Commission expires June 12, 2017

I am a resident of Elkhart County.

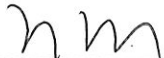
CODE: 5839

PARCEL: 24A

This instrument was prepared by:

Nicolette Mendenhall
Deputy Attorney General
Attorney No. 27964-49
Office of the Indiana Attorney General
Indiana Government Center South, 5th Floor
302 West Washington Street
Indianapolis, Indiana 46204

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.



Nicolette Mendenhall

Grantee's Tax Mailing Address:

Indiana Department of Transportation
100 North Senate Avenue
Indianapolis, IN 46204-2219

Indiana Code § 8-23-7-31

EXHIBIT "A"

Project: 1006199
Parcel: 24A Excess Land
Tax ID No: 20-11-09-258-022.000-015
Form: WD-1

Sheet 1 of 1
Code: 5839

The East one-half (E ½) of the East one-half (E ½) of Lot Number 221 in the Original Plat of the Town (now City) of Goshen, Indiana.

This description was prepared for the Indiana Department of Transportation by the following:

Vincent J. Barr 08/18/2014

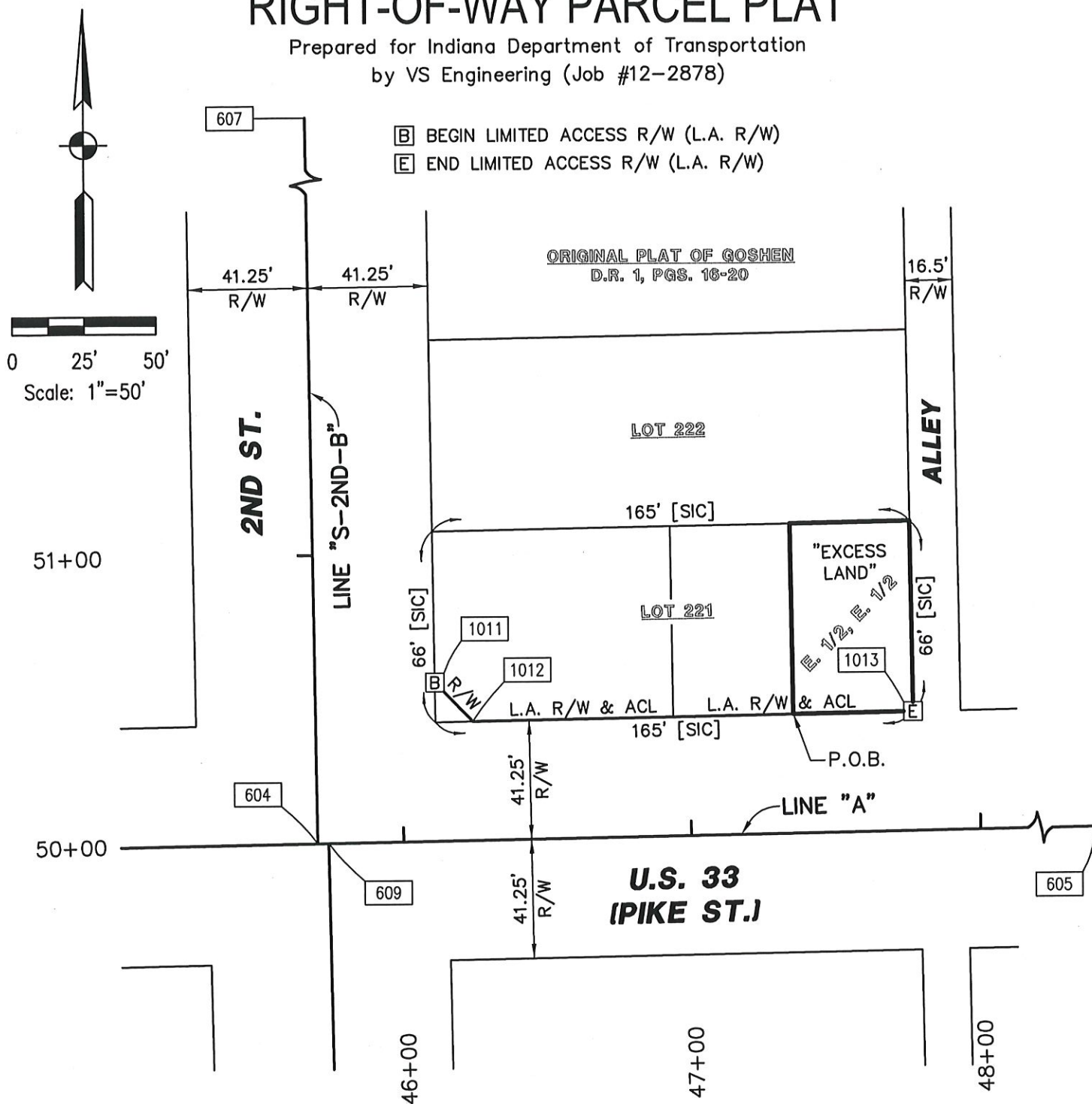
V.S. Engineering, Inc.
Vincent J. Barr, P.S.
Professional Surveyor No. 9700015
State of Indiana



RIGHT-OF-WAY PARCEL PLAT

Prepared for Indiana Department of Transportation
by VS Engineering (Job #12-2878)

- [B] BEGIN LIMITED ACCESS R/W (L.A. R/W)
[E] END LIMITED ACCESS R/W (L.A. R/W)



PARCEL: 24 OWNER: BECHTEL, JAMES E. ET AL.
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN
RANGE: 6 E. HEREIN ARE ENGLISH.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/04/2014
CHECKED BY: V.J. BARR 08/18/2014

INSTR. NO. 89-006083, DATED 04/11/1989
INSTR. NO. 89-006084, DATED 04/11/1989
TAX ID No. 20-11-09-258-022.000-015

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS.

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
1011	A	46+11.89	55.00'	Lt.	19,768.4653	81,325.7814
1012	A	46+25.00	41.25'	Lt.	19,754.9218	81,339.1091
1013	A	47+77.39	41.25'	Lt.	19,757.3020	81,491.4772
604	SEE LOCATION CONTROL ROUTE SURVEY PLAT					
605						
607						
609						

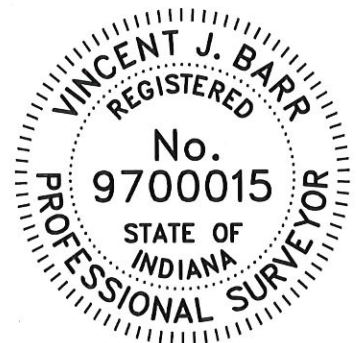
NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument No. 2013-06714 in the Office of the Recorder of Elkhart County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

Vincent J. Barr 08/18/2014

VS ENGINEERING, INC.
VINCENT J. BARR, P.S.
PROFESSIONAL SURVEYOR NO. 9700015
STATE OF INDIANA



PARCEL: 24 OWNER: BECHTEL, JAMES E. ET AL.
CODE: 5839
PROJECT: 1006199
ROAD: U.S. 33
COUNTY: ELKHART
SECTION: 9
TOWNSHIP: 36 N. NOTE: DIMENSIONS SHOWN HEREIN ARE ENGLISH.
RANGE: 6 E.

DES. NO.: 1006199
DRAWN BY: J.T. KEIL 08/04/2014
CHECKED BY: V.J. BARR 08/18/2014