

28-11-09-000-007.002-0



20120000229

GREENE COUNTY, INDIANA
STUART A DOWDEN
01/13/2012 09:41:28AM
WARR DEED \$ 0.00
PAGES: 7

Form WL-1
Rev. 2009

**WARRANTY DEED
WITH LIMITATION OF ACCESS**

28-11-09-000-007.000
-010

Project: 0500448
Code: 5533
Parcel: 1 & 1A
Page: 1 of 3

THIS INDENTURE WITNESSETH, That Ruth Eng
the Grantor(s), of Monroe County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Seventy Six Thousand Nine Hundred Forty Eight Dollars (\$ 76,948.00) (of which said sum \$ 76,948.00 represents land and improvements acquired and \$ -0- represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Greene, State of Indiana, and which is more particularly described in the legal description 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.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the above Real Estate, excepting on any part of said real estate which is not utilized in the limited access portion of the above-designated project.

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.

As an inducement for the State to close this real estate transaction, the grantor(s) assume(s) and agree(s) to pay the 2010 payable 2011 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.

Interest in land acquired by the Indiana
Department of Transportation

10922731

DULY ENTERED
FOR TAXATION

JAN 13 2012

Matthew Baker
AUDITOR GREENE COUNTY

Project: 0500448
Code: 5533
Parcel: #1 & 1A
Page: 2 of 3

IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument this 4th day of November, 2011.

Signature Ruth Eng (Seal) _____ (Seal) 9
Ruth Engs _____
Printed Name _____ Printed Name _____

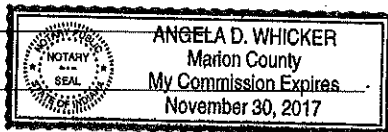
STATE OF Indiana :
COUNTY OF Marion : SS:

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

Witness my hand and Notarial Seal this 4th day of November, 2011.

Signature Angela D. Whicker

Printed Name _____
My Commission expires _____



I am a resident of _____ County.

EXHIBIT "A"

Project 0500448

Sheet 1 of 2

Code 5533

Parcel 1 Fee with Full Limitation of Access

Form WL-1

Key Number 28-11-09-000-007.000-010

A part of the Northwest Quarter and the West Half of the West Half of the Northeast Quarter of Section 9, Township 6 North, Range 3 West, Greene County, Indiana, 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 on the east line of said Northwest Quarter Section South 0 degrees 38 minutes 43 seconds West 1,619.88 feet from the northeast corner of said Northwest Quarter Section, designated as point "502" on said plat; thence North 79 degrees 22 minutes 48 seconds East 250.25 feet to point "9" designated on said plat; thence North 64 degrees 04 minutes 58 seconds East 467.05 feet to the east line of said half-half quarter section; thence South 0 degrees 31 minutes 04 seconds West 685.46 feet along said half-half quarter section; thence Southwesterly 123.08 feet along an arc to the right having a radius of 11,330.00 feet and subtended by a long chord having a bearing of South 79 degrees 04 minutes 07 seconds West and a length of 123.08 feet to point "2" designated on said plat; thence South 79 degrees 22 minutes 48 seconds West 195.01 feet to point "1" designated on said plat; thence North 10 degrees 37 minutes 12 seconds West 55.00 feet to point "77" designated on said plat; thence Southwesterly 0.41 feet along an arc to the left having a radius of 7,725.00 feet and subtended by a long chord having a bearing of South 79 degrees 22 minutes 42 seconds West and a length of 0.41 feet to the west line of the grantor's land; thence North 0 degrees 38 minutes 56 seconds East 504.73 feet along said west line; thence North 79 degrees 22 minutes 48 seconds East 505.62 feet to the point of beginning and containing 14.450 acres, more or less.



This description was prepared for the
Indiana Department of Transportation
on the 23rd day of August, 2011

by Kevin M. Johnson
Kevin M. Johnson
Indiana Registered Land Surveyor
License Number LS29800012

EXHIBIT "A"

Project 0500448
Code 5533
Parcel 1A Excess Land
Form WL-1
Key Number 28-11-09-000-007.000-010

Sheet 2 of 2

A part of the Northwest Quarter and the West Half of the West Half of the Northeast Quarter of Section 9, Township 6 North, Range 3 West, Greene County, Indiana, described as follows: Beginning on the southeast corner of said Northwest Quarter Section, designated as point "503" on the attached Right of Way Parcel Plat, marked EXHIBIT "B"; thence South 89 degrees 54 minutes 39 seconds West 495.98 feet along the south line of said Northwest Quarter Section to the west line of the land described in Deed Record 274, page 548; thence North 0 degrees 38 minutes 56 seconds East 417.75 feet along said west line to the proposed southeastern right of way line of I-69; thence along the proposed right of way line of said I-69 Northeasterly 0.41 feet along an arc to the right having a radius of 7,725.00 feet and subtended by a long chord having a bearing of North 79 degrees 22 minutes 42 seconds East and a length of 0.41 feet to point "117" designated on said parcel plat; thence North 79 degrees 22 minutes 48 seconds East 854.10 feet along said proposed right of way line to point "77" designated on said parcel plat; thence South 10 degrees 37 minutes 12 seconds East 55.00 feet along said proposed right of way line to point "1" designated on said parcel plat; thence North 79 degrees 22 minutes 48 seconds East 195.01 feet along said proposed right of way line to point "2" designated on said parcel plat; thence along said proposed right of way line Northeasterly 123.08 feet along an arc to the left having a radius of 11,330.00 feet and subtended by a long chord having a bearing of North 79 degrees 04 minutes 07 seconds East and a length of 123.08 feet to the east line of said half-half quarter section ; thence South 0 degrees 31 minutes 04 seconds West 567.86 feet along said half-half quarter section line to the south line of said Northeast Quarter Section; thence South 88 degrees 58 minutes 59 seconds West 666.24 feet along said Northeast Quarter Section line to the point of beginning and containing 13.531 acres, more or less.

The above description was prepared using information from the County records. It is not intended to be represented as a retracement or original boundary survey of the property.



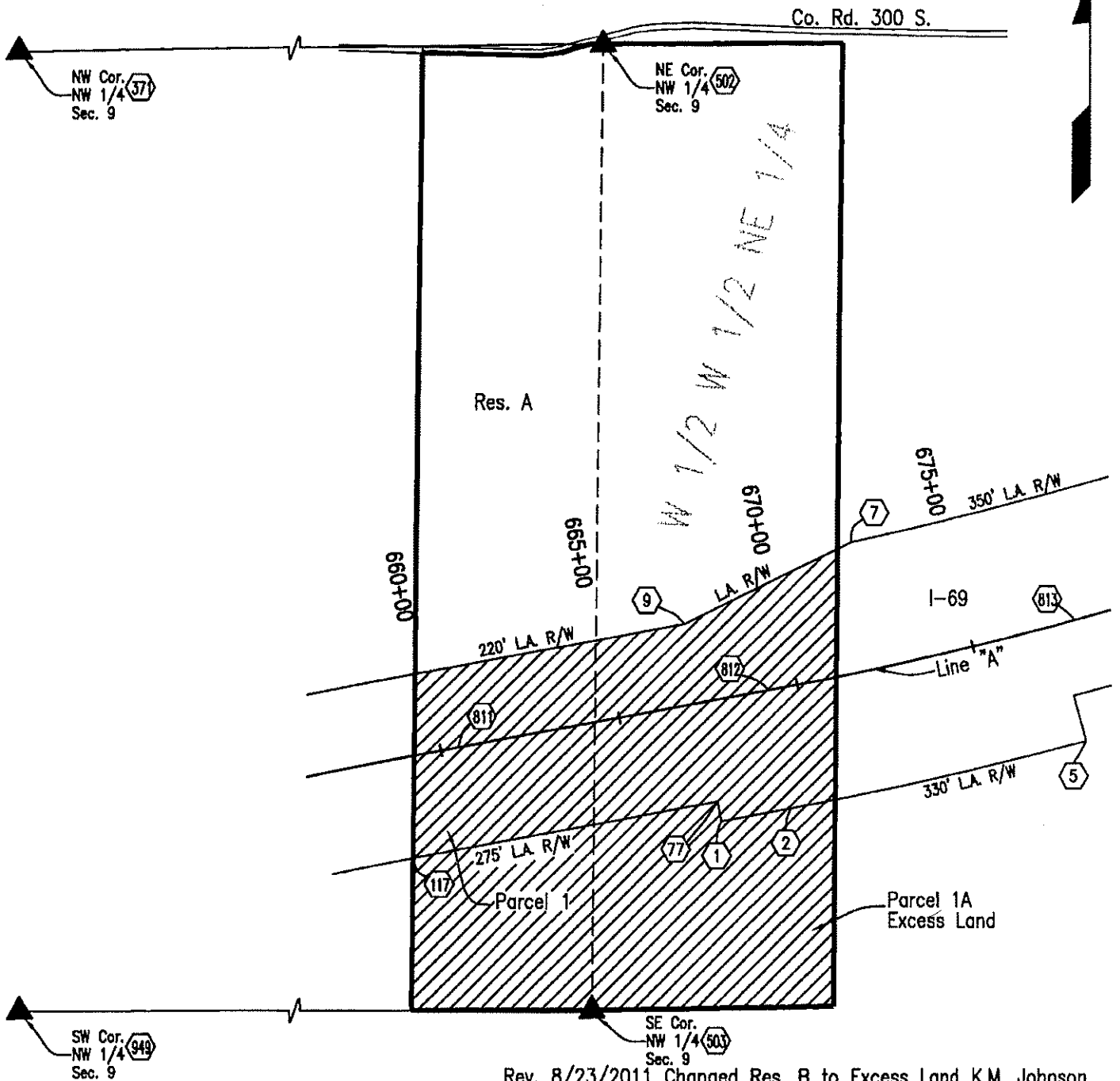
This description was prepared for the
Indiana Department of Transportation
on the 23rd day of August, 2011

by Kevin M. Johnson
Kevin M. Johnson
Indiana Registered Land Surveyor
License Number LS29800012


RIGHT-OF-WAY PARCEL PLAT

Prepared for Indiana Department of Transportation
by Bernardin Lochmueller & Associates, Inc. (Job No. 110-0114-0HY)

0 100ft 200ft 400ft
SCALE 1" = 400'



Rev. 8/23/2011 Changed Res. B to Excess Land K.M. Johnson
Rev. 6/01/2011 Changed R/W per design K.M. Johnson

PARCEL: 1	OWNER: Engs, Ruth	DRAWN BY: K.M. Johnson 3/15/2011
CODE: 5533		CHECKED BY: R.F. Lewis 3/18/2011
PROJECT: 0500448		DES. NO.: 0500448
ROAD: I-69	 HATCHED AREA IS THE APPROXIMATE TAKING	DEED RECORD 274, PAGE 548, DATED 6/28/84
COUNTY: Greene		
SECTION: 9		
TOWNSHIP: 6 N.		
RANGE: 3 W.		

PARCEL COORDINATE CHART (shown in feet)

Point	Centerline	Station	Offset	Northing	Easting
1	"A"	667+25	330'	459850.9110	786544.5720
2	"A"	+PC(669+20.01)	330'	459886.8507	786736.2424
5	"A"	677+40	330'	460073.2870	787559.7966
7	"A"	672+25	350'	460613.6389	786900.3566
9	"A"	677+25	220'	460391.4900	786443.2092
77	"A"	667+25	275'	459904.9689	786534.4357
117	"A"	+PT(658+70.90)	275'	459747.5626	785694.9702
371*					
376*					
502*					
503*					
811*					
812*					
813*					
949*					

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

* SEE LOCATION CONTROL ROUTE SURVEY PLAT.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded in Instrument No. 201100000881 in the Office of the Recorder of Greene 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").

This plat was prepared using information obtained from the County records. It does not represent a survey of the owner's property. Dimensions shown along the existing property lines are taken from the listed record documents.

Kevin M. Johnson 23 AUG 11
 Kevin M. Johnson Date
 Reg. Land Surveyor No. LS29800012
 State of Indiana



PARCEL: 1 OWNER: Engs, Ruth
 CODE: 5533
 PROJECT: 0500448
 ROAD: I-69
 COUNTY: Greene
 SECTION: 9
 TOWNSHIP: 6 N.
 RANGE: 3 W.

DRAWN BY: K.M. Johnson 3/15/2011
 CHECKED BY: R.F. Lewis 3/18/2011
 DES. NO.: 0500448



BERNARDIN • LOCHMUELLER
 & ASSOC., INC.
 3502 Woodview Trace, Suite 150
 Indianapolis, IN 46268
 (317) 222-3880



0 1 1 0 0 0 4 4 8 4 9 *

201100004484

GREENE COUNTY, INDIANA
STUART A DOWDEN
11/18/2011 01:33:03PM
EASEMENT \$ 0.00

PAGES: 9

Project 0500448

Code 5533

Parcel #1

Page 1 of 4

IRREVOCABLE RIGHT OF ENTRY GRANT

WHEREAS, Ind. Code § 8-23-7-2 authorizes the Indiana Department of Transportation (hereinafter referred to as "INDOT") to acquire real property to, among other things, locate, relocate, construct, reconstruct, repair, or maintain a state highway; and

WHEREAS, INDOT must acquire certain real estate from the undersigned property owner(s) (hereinafter referred to as "OWNER") in Greene County to complete highway construction work for I-69; and

WHEREAS, it is necessary for the construction of the above-referenced highway project to commence as rapidly as possible;

NOW, THEREFORE, be it agreed by and between the undersigned OWNER and INDOT that for and in consideration of Five Hundred and No/100 Dollars (\$500.00), to be paid by INDOT to the OWNER within forty-five (45) days after execution of this document, that the undersigned OWNER does hereby grant INDOT immediate right of entry on and across his/her/their real estate, which is described in the attached Exhibit A (the "Real Estate"), and incorporated herein by reference.

This right of entry shall permit INDOT, through its employees, agents and contractors, to enter immediately upon the Real Estate and to proceed with the construction of the highway and to do such acts thereon as would be permitted if the real estate had been purchased or condemned. The undersigned OWNER retains the right to make any claim not waived by this Right of Entry Grant which would normally be the basis for an action for damages.

This right of entry shall terminate upon the closing of the purchase or possession by INDOT through condemnation, whichever occurs first.

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

NO TRANSFER NECESSARY
MATTHEW BAKER
GREENE CO. AUDITOR

DATE 11-18-11

Project 0500448
Code 5533
Parcel #1
Page 2 of 4

No party hereto waives any of the rights as provided under Indiana's eminent domain statutes. All parties recognize that the amount to be paid under this Right of Entry Grant will be credited to INDOT on the amount of the final offer from INDOT to the OWNER for the Real Estate. This Irrevocable Right of Entry Grant constitutes an irrevocable license granted by the undersigned property owner(s) to INDOT.

IN WITNESS THEREOF the undersigned has hereto set their hand and seal this 4th day of November, 2011.

PROPERTY OWNER(S)

Ruth Engs
Signature
Ruth Engs
Printed

Signature

Printed

Signature

Printed

Signature

Printed

Project 0500448
Code 5533
Parcel # 1
Page 3 of 4

INDIANA DEPARTMENT OF TRANSPORTATION

Scott Adams
By: Scott Adams, Director
Real Estate Division

ACKNOWLEDGMENT

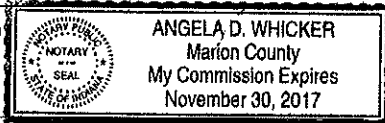
STATE OF Indiana)
COUNTY OF Marion)SS

Before me, the undersigned Notary Public in and for said County personally appeared Ruth Eng
who acknowledged the execution of the foregoing instrument to be her voluntary act and deed and for the purposes stated therein on this 4th day of November, 2011.

Notary Public Angela D. Whicker
(Signature)

Notary Public
(Printed)

My Commission Expires _____



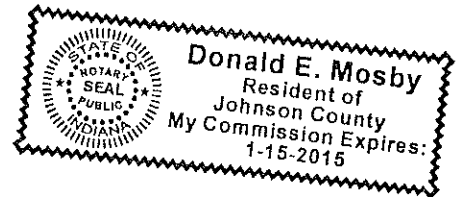
My County of Residence is _____

Project 0500448
Code 5533
Parcel # 1
Page 4 of 4

STATE OF Indiana)
COUNTY OF Marion)SS

Before me, the undersigned Notary Public in and for said County, personally appeared Scott Adams (Name), Director (Title), on behalf of the Indiana Department of Transportation on this 7 day of November, 2011, and acknowledged the execution of the foregoing instruction on behalf of the Indiana Department of Transportation.

Notary Public [Signature]
(Signature)
Notary Public _____
(Printed)



My Commission Expires _____
My County of Residence is _____

This instrument prepared by and I affirm under penalties for perjury that I have taken reasonable care to redact each Social Security number in this document, unless required by law:

EXHIBIT "A"

Project 0500448

Code 5533

Parcel 1 Fee with Full Limitation of Access

Form WL-1

Key Number 28-11-09-000-007.000-010

Sheet 1 of 2

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Indiana Department of Transportation
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by Kevin M. Johnson
Kevin M. Johnson
Indiana Registered Land Surveyor
License Number LS29800012

EXHIBIT "A"

Project 0500448

Code 5533

Parcel 1A Excess Land

Form WL-1

Key Number 28-11-09-000-007.000-010

Sheet 2 of 2

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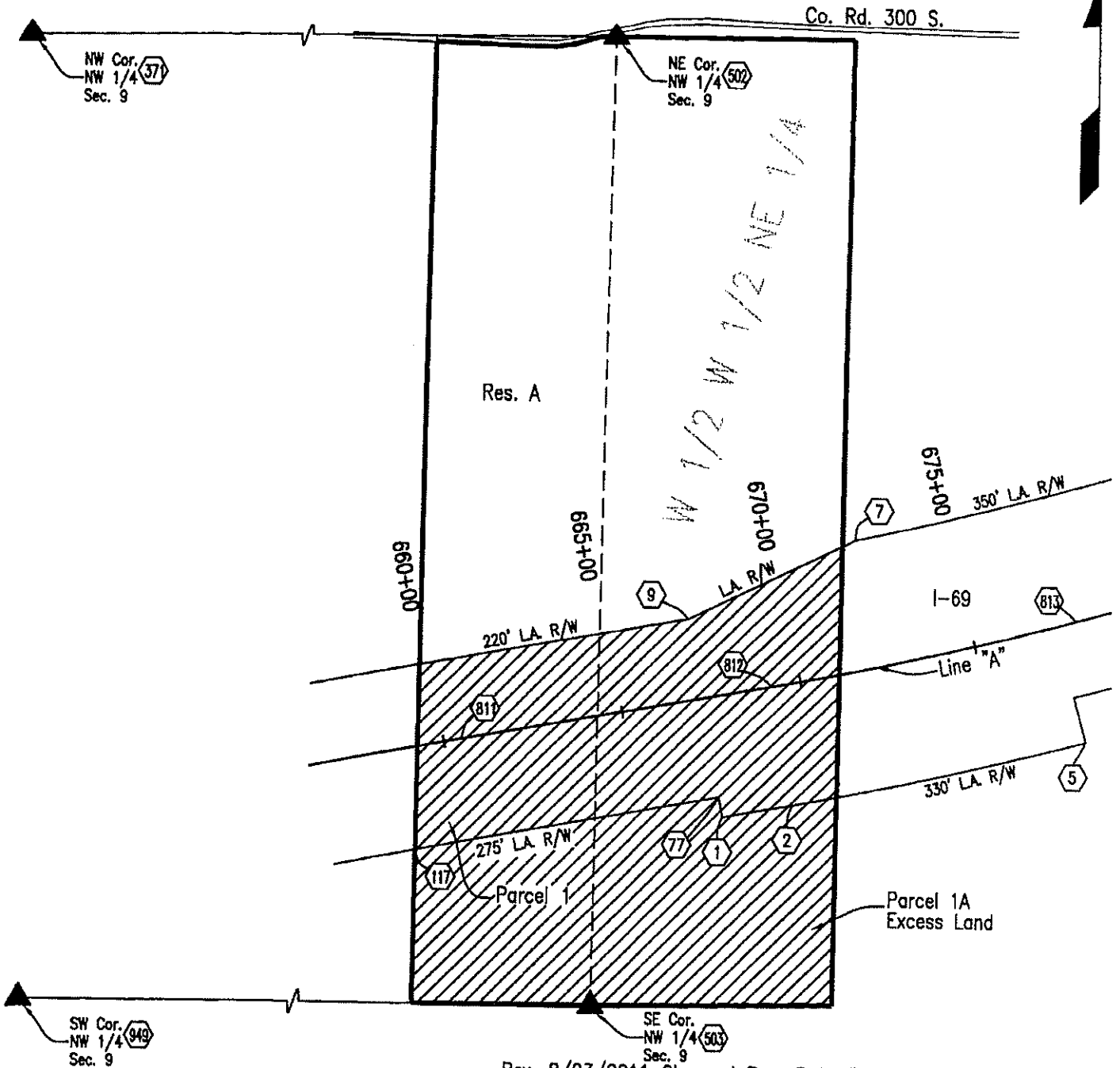
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License Number LS29800012

RIGHT-OF-WAY PARCEL PLAT

Prepared for Indiana Department of Transportation
by Bernardin Lochmueller & Associates, Inc. (Job No. 110-0114-0BY)

0 100ft 200ft 400ft
SCALE 1" = 400'



Rev. 8/23/2011 Changed Res. B to Excess Land K.M. Johnson
Rev. 6/01/2011 Changed R/W per design K.M. Johnson

PARCEL: 1 **OWNER:** Engs, Ruth
CODE: 5533
PROJECT: 0500448
ROAD: I-69
COUNTY: Greene
SECTION: 9
TOWNSHIP: 6 N.
RANGE: 3 W.

 HATCHED AREA IS THE APPROXIMATE TAKING

DRAWN BY: K.M. Johnson 3/15/2011
CHECKED BY: R.F. Lewis 3/18/2011
DES. NO.: 0500448

DEED RECORD 274, PAGE 548, DATED 6/28/84

PARCEL COORDINATE CHART (shown in feet)

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77	"A"	667+25	275'	459904.9689	786534.4357
117	"A"	+PT(658+70.90)	275'	459747.5626	785694.9702
371*					
376*					
502*					
503*					
811*					
812*					
813*					
949*					

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

* SEE LOCATION CONTROL ROUTE SURVEY PLAT.

SURVEYOR'S STATEMENT

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Kevin M. Johnson 23 AUG 11
 Kevin M. Johnson Date
 Reg. Land Surveyor No. LS29800012
 State of Indiana



PARCEL: 1 OWNER: Engs, Ruth
 CODE: 5533
 PROJECT: 0500448
 ROAD: I-69
 COUNTY: Greene
 SECTION: 9
 TOWNSHIP: 6 N.
 RANGE: 3 W.

DRAWN BY: K.M. Johnson 3/15/2011
 CHECKED BY: R.F. Lewis 3/18/2011
 DES. NO.: 0500448



BERNARDIN · LOCHMUELLER
 & ASSOC., INC.
 3502 Woodview Trace, Suite 150
 Indianapolis, IN 46268
 (317) 222-3880

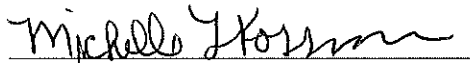
Code: 5533

Parcel: 1

This instrument prepared by:

Michelle L. Kossmann
Deputy Attorney General
Attorney No. 22898-49A
Office of the Indiana Attorney General
302 W. Washington Street, 5th Floor
Indianapolis, IN 46204-2770

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.



Michelle L. Kossmann

Grantee's Mailing Address:

100 North Senate Avenue
Indianapolis, IN 46204-2219

I.C. 8-23-7-31