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201203328

MARLENE MAHLER
MARSHALL COUNTY RECORDER
06/11/2012 12:12:27PM
REC FEE: \$0.00 PGS: 7

Form WL-2
8/98

WARRANTY DEED WITH PARTIAL LIMITATION OF ACCESS

50-42-04-000-025.000-009

Project: 0710769
Code: 5265
Parcel: 54 and 54 Excess Land
Page: 1 of 3

THIS INDENTURE WITNESSETH, That Robert D. Landis and Gail A. Landis, husband and wife,

the Grantors, of Marshall County, State of Indiana Convey and Warrant to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of One Hundred Ninety Five Thousand Dollars (\$195,000.00) (of which said sum \$165,000.00 represents land and improvements acquired and \$30,000.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Marshall, State of Indiana, and which is more particularly described in the legal descriptions 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 highway facility known as U.S. 31 and as Project 0710769 to and from the Grantors' remaining lands along the line or lines specifically described in the said exhibits. This restriction is a covenant running with the land and shall be binding on the Grantors 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.

The Grantors hereby specifically acknowledge and agree that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantors, or any successors in title to the abutting lands of the Grantors', 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 Grantors and all successors and assigns.

As an inducement for the State to close this real estate transaction, the grantors assume and agree to pay the 2011 payable 2012 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
I.C. 8-23-7-31

see pg 4

Duly entered for taxation subject to final
acceptance for transfer 6-11-2012

50-42-04-000-025.001-009
* 50-42-04-000-025.002-009
Key Number Auditor, Marshall Cty.

Part of 50-42-04-000-025.000-009
[Signature]

AS PRESENTED

MAY 31 2012

MARLENE MAHLER, RECORDER
MARSHALL COUNTY, INDIANA

Project: 0710769
Code: 5265
Parcel: 54 and 54 Excess Land
Page: 2 of 3

IN WITNESS WHEREOF, the said Grantors have executed this instrument this 1ST day of

MARCH, 2012.

Robert D. Landis (Seal)
Signature

Robert D. Landis
Printed Name

Gail A. Landis (Seal)
Signature

Gail A. Landis
Printed Name

STATE OF INDIANA:

COUNTY OF MARSHALL:

SS:

Before me, a Notary Public in and for said State and County, personally appeared Robert D. Landis and Gail A. Landis, husband and wife, the Grantors 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 1ST day of MARCH, 2012.

Signature Roy Michael Roush

Printed Name _____

My Commission expires _____

I am a resident of _____ County.



Code: 5265

Parcel: 54

This instrument prepared by:

Kristen E. Edmundson
Deputy Attorney General
Attorney No. 25558-49
Office of the Attorney General
302 W. Washington St., 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.

Kristen E. Edmundson

Kristen E. Edmundson

Grantee's Mailing Address:

100 North Senate Avenue
Indianapolis, IN 46204-2219
I.C. 8-23-7-31

EXHIBIT "A"

PROJECT: 0710769

CODE: 5265

Sheet 1 of 3

PARCEL NO.: 54-Fee Simple with Full Limitation of Access
(WL-2)

Key Number: 50-42-04-000-025.000-009

A part of the West Half of the Southeast Quarter of Section 4, Township 34 North, Range 2 East, Marshall County, Indiana, and being that part of the grantors' 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 south line of said section South 88 degrees 52 minutes 34 seconds West 511.94 feet from the southeast corner of said half-quarter section; thence continuing South 88 degrees 52 minutes 34 seconds West 377.97 feet along said line; thence North 1 degree 30 minutes 28 seconds East 282.47 feet to point "21391" on said plat; thence North 0 degrees 28 minutes 30 seconds West 425.26 feet to point "21396" on said plat; thence North 3 degrees 33 minutes 45 seconds West 382.88 feet to point "21392" on said plat; thence Northerly 409.33 feet along an arc to the right having a radius of 7,675.00 feet and subtended by a long chord having a bearing of North 1 degree 37 minutes 39 seconds East and a length of 409.28 feet to point "21437" on said plat; thence North 6 degrees 30 minutes 11 seconds East 230.31 feet to point "21436" on said plat; thence North 8 degrees 44 minutes 42 seconds East 179.01 feet to point "21435" on said plat; thence Northeasterly 773.56 feet along an arc to the right having a radius of 7,655.00 feet and subtended by a long chord having a bearing of North 9 degrees 06 minutes 22 seconds East and a length of 773.23 feet to the north line of said quarter section; thence North 89 degrees 26 minutes 04 seconds East 298.26 feet along said line; thence South 14 degrees 26 minutes 29 seconds West 23.57 feet to point "21399" on said plat; thence Southwesterly 589.20 feet along an arc to the left having a radius of 7,365.00 feet and subtended by a long chord having a bearing of South 10 degrees 01 minute 51 seconds West and a length of 589.04 feet to point "21434" on said plat; thence South 4 degrees 38 minutes 52 seconds West 294.55 feet to point "21398" on said plat; thence South 6 degrees 14 minutes 47 seconds West 294.55 feet to point "21397" on said plat; thence Southerly 392.80 feet along an arc to the left having a radius of 7,365.00 feet and subtended by a long chord having a bearing of South 1 degree 37 minutes 39 seconds West and a length of 392.75 feet to point "21395" on said plat; thence South 3 degrees 57 minutes 49 seconds East

EXHIBIT "A"

PROJECT: 0710769
CODE: 5265
PARCEL NO.: 54-Fee Simple with Full Limitation of Access

Sheet 2 of 3

294.66 feet to point "21426" on said plat; thence South 3 degrees 26 minutes 02 seconds East 299.24 feet to point "21393" on said plat; thence South 5 degrees 40 minutes 35 seconds East 450.69 feet to point "21390" on said plat; thence South 6 degrees 53 minutes 42 seconds East 40.95 feet to the point of beginning and containing 19.167 acres, more or less.

TOGETHER with 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. 31 and as Project 0710769), to and from the grantors' remaining lands where they abut the above-described real estate. This restriction 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 Fred L. Benge, Indiana Registered Land Surveyor, License Number LS80040408, on the 17th day of February, 2011



Fred L. Benge

EXHIBIT "A"

PROJECT: 0710769
CODE: 5265
PARCEL NO.: 54-Excess Land
(WL-2)

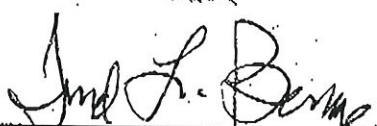
Sheet 3 of 3

Key Number: 50-42-04-000-025.000-009

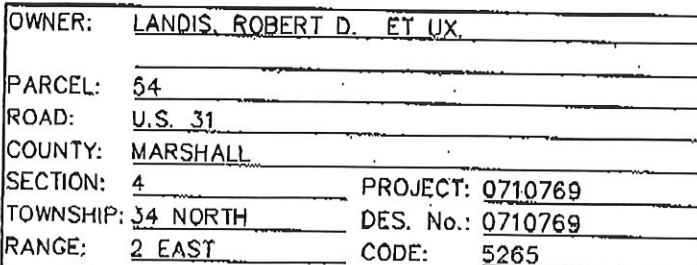
A part of the West Half of the Southeast Quarter of Section 4, Township 34 North, Range 2 East, Marshall County, Indiana, and being that part of the grantors' land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked **Exhibit "B"**, described as follows: Beginning on the south line of said section South 88 degrees 52 minutes 34 seconds West 889.91 feet from the southeast corner of said half-quarter section; thence continuing South 88 degrees 52 minutes 34 seconds West 420.07 feet along said line to the southwest corner of said quarter section; thence North 0 degrees 58 minutes 14 seconds East 2,671.38 feet along the west line of said quarter section to the northwest corner of said quarter section; thence North 89 degrees 26 minutes 04 seconds East 542.17 feet along the north line of said quarter section; thence Southwesterly 773.56 feet along an arc to the left having a radius of 7,655.00 feet and subtended by a long chord having a bearing of South 9 degrees 06 minutes 22 seconds West and a length of 773.23 feet to point "21435" on said plat; thence South 8 degrees 44 minutes 42 seconds West 179.01 feet to point "21436" on said plat; thence South 6 degrees 30 minutes 11 seconds West 230.31 feet to point "21437" on said plat; thence Southerly 409.33 feet along an arc to the left having a radius of 7,675.00 feet and subtended by a long chord having a bearing of South 1 degree 37 minutes 39 seconds West and a length of 409.28 feet to point "21392" on said plat; thence South 3 degrees 33 minutes 45 seconds East 382.88 feet to point "21396" on said plat; thence South 0 degrees 28 minutes 30 seconds East 425.26 feet to point "21391" on said plat; thence South 1 degree 30 minutes 28 seconds West 282.47 feet to the point of beginning and containing 26.097 acres, more or less.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 17th day of February, 2011.

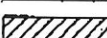

Fred L. Bengé

PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION



NOTE: STATION AND OFFSETS CONTROL OVER BOTH NORTH & EAST
COORDINATES AND BEARINGS & DISTANCES
* SEE LOCATION CONTROL ROUTE SURVEY FOR ADDITIONAL POINTS

A circular seal for Fred L. Bengé, a Registered Land Surveyor. The outer ring contains the text "FRED L. BENGE" at the top and "REGISTERED" at the bottom. Inside this is a smaller circle with "No. S0408" in the center, "STATE OF INDIANA" below it, and "LAND SURVEYOR" at the bottom. The seal is surrounded by a decorative border of small dots.

 WATCHED
AREA IS THE
APPROXIMATE
TAKING

DRAWN BY: D.TRUEBLOOD DATE: 2-15-2011
CHECKED BY: F. BENGE DATE: 2-16-2011

INSTRUMENT #1986-Q4980 DATED: 03-10-1986

KEY NUMBER: 50-42-04-000-025.000-009 TAKING=45.264 AC.