

0819720

RECORDED AS PRESENTED ON

06/12/2008 02:22:54PM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

REC FEE: \$0.00
PAGES: 6

Transfer 3220
Taxing Unit SB Center
Date 6.12.08

Form WL-1

8/98

**WARRANTY DEED
WITH LIMITATION OF ACCESS**

23-1030 - 0692

Project: NH-153-7(023)

Code: 4651

Parcel: 6 & 6A

Page: 1 of 2

THIS INDENTURE WITNESSETH, That John E. Unley

the Grantor(s), of St. Joseph County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Ninety Thousand No/100 Dollars (\$ 90,000.00) (of which said sum \$ 90,000.00 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 St. Joseph, 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 highway facility known as U.S. 31 and as Project NH-153-7(023) to and from the Grantor(s) remaining lands where they abut the Real Estate. This restriction 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.

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) assumes and agrees to pay the 2007 payable 2008 real estate taxes on the above described real estate.

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

This Instrument Prepared By

see pg. 3
Attorney at Law

DULY ENTERED FOR TAXATION

**PETER H. MULLEN
ST. JOSEPH CO. INDIANA**

Project: NH-153-07(023)

Code: 4651

Parcel: 6 & 6A

Page: 2 of 2

IN WITNESS WHEREOF, the said Grantor(s) has _____ executed this instrument this 10TH day of APRIL, 2008.

John E. Unley John E. Unley (Seal) _____ (Seal)

STATE OF INDIANA :

COUNTY OF ST. JOSEPH :

SS:

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

John E. Unley

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 10TH day of APRIL, 2008.

Sandra A. Boyer
SAUDRA A. BOYER
Printed Name

My Commission expires 10-17-2015.

I am a resident of HAMILTON County.

5-2-08
RS, 000

This instrument was prepared and approved as to form by the undersigned Deputy Attorney General who, under penalties of perjury, affirms that he has redacted, to the extent permitted by law, each Social Security number in this document.



RICHARD C. MELFI

DEPUTY ATTORNEY GENERAL

Richard C. Melfi, Attorney No. 23425-29

Deputy Attorney General

State of Indiana

Indiana Government Center South, 5th Floor

302 West Washington Street

Indianapolis, IN 46204

"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."

Signature:

Printed Name:



Tracy Peterson

EXHIBIT "A"

PROJECT: NH-153-8(020)
CODE: 4651
PARCEL NO.: 6-Fee Simple
(WL-1)

Sheet 1 of 2

A part of Lots 1 and 2 in Ritter's Plat of Dixie Gardens, a subdivision in the Northwest Quarter of Section 36, Township 37 North, Range 2 East, the plat of which subdivision is recorded in Plat Book 11, Page 81, in the Office of the Recorder of St. Joseph 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 at a point on the south line of said Lot 2 South 89 degrees 48 minutes 58 seconds West 40.15 feet from the southeast corner of said Lot 2, which point of beginning is the southwest corner of the tract of land described in Instrument Number 9100294 and is designated as point "31014" on said plat; thence continuing South 89 degrees 48 minutes 58 seconds West 60.25 feet along said line to point "31015" on said plat; thence North 4 degrees 56 minutes 12 seconds East 99.68 feet to a point on the north line of said Lot 1 designated as point "31016" on said plat; thence North 89 degrees 46 minutes 38 seconds East 67.76 feet along said line to a point on the western boundary of U.S. 31 (being the northwest corner of the aforementioned tract) designated as point "31017" on said plat; thence South 15 degrees 53 minutes 11 seconds East 21.08 feet along said boundary to point "31018" on said plat; thence South 15 degrees 26 minutes 34 seconds West 82.07 feet along said boundary to the point of beginning and containing 6,805 square feet, 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 12th day of July, 2007



Fred L. Bengé

EXHIBIT "A"

PROJECT: NH-153-8(020)
CODE: 4651
PARCEL NO.: 6A-Fee Simple (Excess Land)
(WL-1)

Sheet 2 of 2

A part of Lots 1 and 2 in Ritter's Plat of Dixie Gardens, a subdivision in the Northwest Quarter of Section 36, Township 37 North, Range 2 East, the plat of which subdivision is recorded in Plat Book 11, Page 81, in the Office of the Recorder of St. Joseph 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 south line of said Lot 2 South 89 degrees 48 minutes 58 seconds West 100.40 feet from the southeast corner of said Lot 2, which point of beginning is designated as point "31015" on said plat; thence continuing South 89 degrees 48 minutes 58 seconds West 235.74 feet along said line to the southwest corner of said Lot 2 designated as point "31021" on said plat; thence North 4 degrees 48 minutes 02 seconds East 99.50 feet along the western line of said lots to the northwest corner of said Lot 1 designated as point "31022" on said plat; thence North 89 degrees 46 minutes 38 seconds East 235.99 feet along the north line of said Lot 1 to point "31016" on said plat; thence South 4 degrees 56 minutes 12 seconds West 99.68 feet to the point of beginning and containing 23,398 square feet, more or less.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengt, Indiana Registered Land Surveyor, License Number LS80040408, on the 12th day of July, 2007


Fred L. Bengt

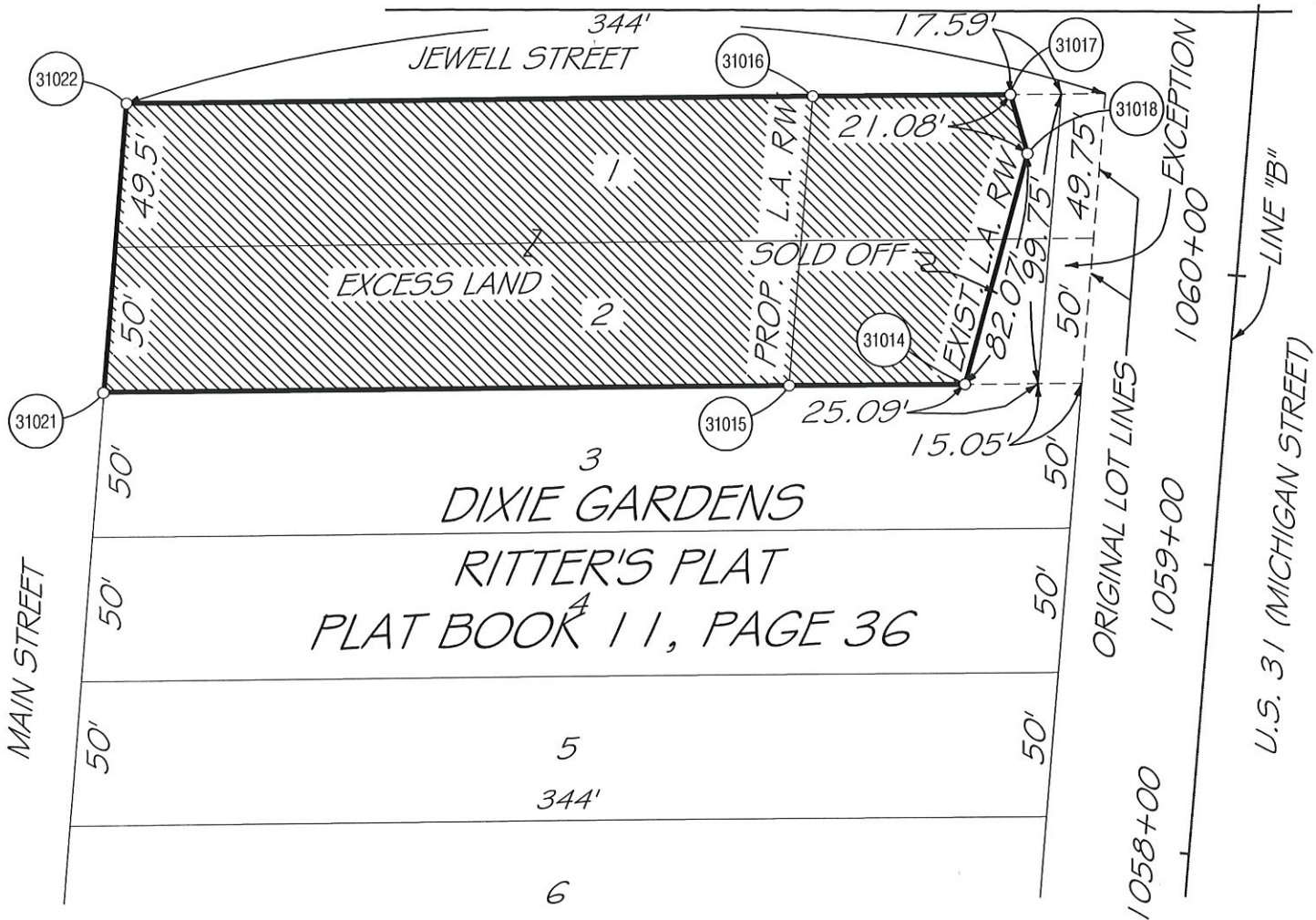
EXHIBIT "B"

RIGHT-OF-WAY PARCEL PLAT

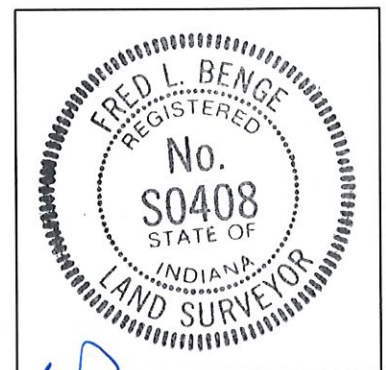
PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1

0 30 60
SCALE: 1" = 60'



COORDINATE CHART (FEET)						
POINT	NORTHING	EASTING	STATION	OFFSET	SIDE	LINE
31014	101703.0193	63952.8406	1059+55.25	89.99	LEFT	"B"
31015	101702.8259	63892.5903	1059+49.87	150.00	LEFT	"B"
31021	101702.0690	63656.8537	1059+28.83	384.80	LEFT	"B"
31022	101801.2200	63665.1804	1060+28.33	385.03	LEFT	"B"
31016	101802.1377	63901.1683	1060+49.55	150.00	LEFT	"B"
31017	101802.4012	63968.9236	1060+55.64	82.52	LEFT	"B"
31018	101782.1263	63974.6938	1060+35.94	75.03	LEFT	"B"



SURVEYOR'S STATEMENT

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT, TOGETHER WITH THE "LOCATION CONTROL ROUTE SURVEY" RECORDED AS INSTRUMENT NO. 0654538 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH 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").

FRED L. BENGE DATE
REG. LAND SURVEYOR No. LS0408

OWNER: UNLEY, JOHN E.
PARCEL: 6
ROAD: U.S. 31
COUNTY: ST. JOSEPH
SECTION: 36 PROJECT: NH-153-8(020)
TOWNSHIP: 37 N. DES. No.: 9904300
RANGE: 2 E. CODE: 4651



HATCHED AREA IS
THE APPROXIMATE
TAKING

DRAWN BY: G.L. SMITH

DATE: 6-18-07

CHECKED BY: F.BENGE

DATE: 6-28-07

INSTRUMENT #8523630

DATED: 10-29-85

INSTRUMENT #9100294

DATED: 5-4-90