

Handwritten: I am hereby granting an easement to the State of Indiana

INDIANA TOLL ROAD COMMISSION
P. O. BOX 748
SOUTH BEND, INDIANA 46624

East-West Toll Road

PERMANENT RIGHT-OF-WAY EASEMENT

East-West Toll Road Approach
Parcel No. 70-B-1P

THIS INDENTURE WITNESSETH that the undersigned, as Grantors and sole owners of land in St. Joseph County, Indiana, more definitely described below, upon or near which will pass the Indiana East-West Toll Road, hereby grants to the STATE OF INDIANA a permanent right-of-way, the lands as described below and located by surveys and shown on centerline plan plats on file in the Recorder's Office of St. Joseph County, Indiana, to-wit:

Part of the East Half of the Northeast Quarter of Section 27, Township 38 North, Range 3 East, bounded and described as follows:

Beginning on the centerline of Fir Road at the North eighth section line of said section; thence Northerly on the centerline of said road 12 rods and 2 feet; thence Easterly parallel with the north line of said half quarter section 45 feet, more or less, to a line which connects points "A" and "B", point "A" being 70.00 feet easterly, measured at right angles, from the centerline of Fir Road at a point thereon which is 300.00 feet northerly, measured on the centerline of Fir Road, from the centerline of the Indiana East-West Toll Road (a centerline survey map of which is on file in the Office of Recorder of St. Joseph County, Indiana) and point "B" being 30.00 feet easterly, measured at right angles from the centerline of Fir Road at a point thereon which is 700.00 feet northerly, measured on the centerline of Fir Road, from said Toll Road centerline; thence southerly 355 feet, more or less to aforementioned point "A"; thence southerly parallel with the centerline of Fir Road 74 feet, more or less, to a point which is 160 feet northwesterly, measured at right angles, from said toll road centerline; thence southwesterly parallel with said toll road centerline on a curve to the right having a radius of 7479.44 feet a distance of 71 feet, more or less, to a line which is parallel with the north line of said half quarter section at a point on the centerline of Fir Road which is South 0 degrees 43 minutes 48 seconds East 16 rods from the point of beginning; thence westerly parallel with the north line of said half quarter section 12 feet, more or less, to the centerline of Fir Road; thence North 0 degrees 43 minutes 48 seconds West on the centerline of Fir Road 16 rods to the point of beginning.

Containing 0.61 acres, more or less.

It is further understood and agreed that this conveyance transfers only the right to build and construct a portion of an existing highway or the relocation of an existing highway which approaches the intersection of such highway by overpass or underpass with the East-West Toll Road.

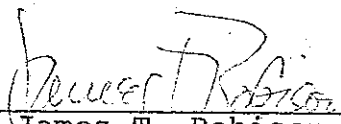
It is mutually agreed by and between the Grantor and the Grantee that this is a permanent easement and shall be binding upon the Grantor, Grantor's assigns and Grantees, which shall run with the land, until specifically vacated by action of the appropriate authority having jurisdiction thereof.

This conveyance is made pursuant to the authority contained in Chapter 281 of the 1951 Acts of the General Assembly of the State of Indiana, all Acts amendatory thereto and supplemental thereto, and in accordance with a resolution duly adopted by the Grantor at its regularly convened meeting held on the 11th day of August, 1978, said meeting being Meeting No. 416 as reflected in the minutes of said meeting.

IN WITNESS WHEREOF, the said INDIANA TOLL ROAD COMMISSION has caused this instrument to be duly executed for and on its behalf by James T. Robison, Chairman, and attested to by Rudolph Reiners, Secretary-Treasurer, and its corporate seal affixed hereto, all on this 11 day of August, 1978.

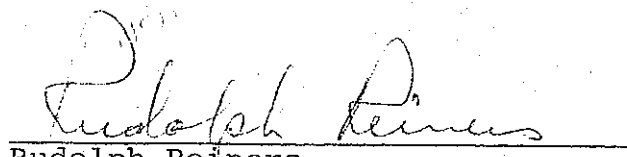
INDIANA TOLL ROAD COMMISSION

By


James T. Robison
Chairman

(SEAL)

ATTEST:


Rudolph Reiners
Secretary-Treasurer