

2

STATE OF INDIANA)
) SS:
 COUNTY OF LAKE)
 2002 063936)
 STATE OF INDIANA,)
)
 Plaintiff,)
)
 v.)
)
 WILLIAM PETRITES,)
 and LAKE COUNTY, INDIANA,)
)
 Defendants.)

IN THE LAKE SUPERIOR COURT 4
 CAUSE NO. 45D04-0204-PL-19
 2002 JUL 17 AM 8:57

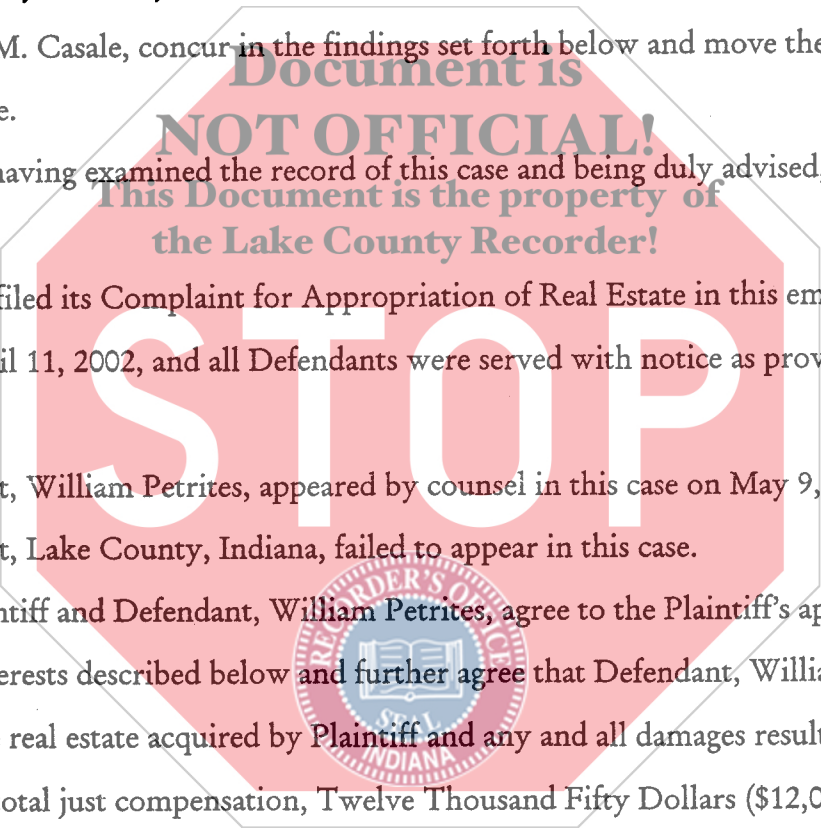
MORRIS W. CARTER
 REC'D
Filed in Open Court
 JUL 01 2002
Quall N. Svetanoff
 JUDGE
 SUPERIOR COURT OF LAKE COUNTY

AGREED FINDING AND JUDGMENT

Plaintiff, State of Indiana, by Steve Carter, Attorney General of Indiana, and Marcia Avery Hanley, Deputy Attorney General; and Defendant, William Petrites, by counsel, John R. Craig and Louis M. Casale, concur in the findings set forth below and move the Court for judgment in this case.

The Court, having examined the record of this case and being duly advised, now FINDS:

1. Plaintiff filed its Complaint for Appropriation of Real Estate in this eminent domain case on April 11, 2002, and all Defendants were served with notice as provided by statute.
2. Defendant, William Petrites, appeared by counsel in this case on May 9, 2002.
3. Defendant, Lake County, Indiana, failed to appear in this case.
4. The Plaintiff and Defendant, William Petrites, agree to the Plaintiff's appropriation of the real estate interests described below and further agree that Defendant, William Petrites, shall recover for the real estate acquired by Plaintiff and any and all damages resulting from that acquisition, as total just compensation, Twelve Thousand Fifty Dollars (\$12,050.00), and that no other Defendant is entitled to recover any damages due to Plaintiff's acquisition.
5. All parties withdraw their request for trial by jury in this case.



JUL 18 2002

0005

REC'D
 2002 JUL 18 AM 10:00

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff, State of Indiana, has acquired fee simple title to those real estate interests, including all immediate rights of possession, to the real estate described as:

A part of Lot 1 in Block 5 in Wicker Park Manor, an addition to the Town of Highland, Indiana, the plat of which is recorded in Plat Book 25, page 12, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at a point on the southeastern line of said lot North 50 degrees 39 minutes 44 seconds East 3.020 meters (9.91 feet) (10.27 feet by Instrument No. 95010070) from the south corner of said lot, which point of beginning is on the northeastern boundary of U.S.R. 41 (also known as Southeastern Avenue); thence North 30 degrees 51 minutes 41 seconds West 54.160 meters (177.69 feet) (177.08 feet by Instrument No. 95010070) along the boundary of said U.S.R. 41; thence South 36 degrees 41 minutes 07 seconds East 53.626 meters (175.94 feet) to the southeastern line of said lot; thence South 50 degrees 39 minutes 44 seconds West 5.502 meters (18.05 feet) along said southeastern line to the point of beginning and containing 147.4 square meters (1,587 square feet), more or less.

A part of Lot 1 in Block 5 in Wicker Park Manor, an addition to the Town of Highland, Indiana, the plat of which is recorded in Plat Book 25, page 12, in the Office of the Recorder of Lake County, Indiana, described as follows: Commencing at the south corner of said lot; thence North 50 degrees 39 minutes 44 seconds East 3.020 meters (9.91 feet) (10.27 feet by Instrument No. 95010070) along the southeastern line of said lot to the northeastern boundary of U.S.R. 41 (also known as Southeastern Avenue); thence North 30 degrees 51 minutes 41 seconds West 54.160 meters (177.69 feet) (177.08 feet by Instrument No. 95010070) along the boundary of said U.S.R. 41 to the point of beginning of this description: thence North 37 degrees 21 minutes 19 seconds West 4.045 meters (13.27 feet) along said boundary to the northwestern line of said lot; thence along said northwestern line Northeasterly 9.078 meters (29.78 feet) along an arc to the right and having a radius of 57.912 meters (190.00 feet) and subtended by a long chord having a bearing of North 65 degrees 10 minutes 37 seconds East and a length of 9.069 meters (29.75 feet); thence South 39 degrees 26 minutes 33 seconds West 9.093 meters (29.83 feet) to the point of beginning and containing 19.0 square meters (205 square feet), more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, William Petrites, shall have and recover for Plaintiff's appropriation in this case as total just compensation the sum of Twelve Thousand Fifty Dollars (\$12,050.00); that the

Clerk shall, immediately upon receipt of said amount, pay to the Defendant, William Petrites, in full satisfaction of this judgment and all claims in this case.

IF IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Defendant, Lake County, Indiana, having failed to appear shall take nothing in this case.

IT IS FURTHER ORDERED that the Clerk shall promptly send a certified copy of this Agreed Finding and Judgment to the Auditor and Recorder of Lake County, Indiana; that the Auditor shall remove the above-described fee simple real estate from the tax records and rolls of the county and cancel all 2002 and subsequent years' taxes thereon; that the Recorder shall, pursuant to IC 8-23-7-31 and without payment of fee, record the transfer of the above described real estate to the State of Indiana; and that the Recorder shall submit evidence of this recorded transfer, by United States mail, to the Office of the Attorney General of Indiana, 402 West Washington Street, Indianapolis, Indiana 46204-2770.



AGREED TO AND APPROVED BY:

STEVE CARTER
Attorney General of Indiana
Attorney Reg. No. 4150-64

John M. Casell

Attorney for Defendant,
William Petrites
Attorney Reg. No. 3153-45

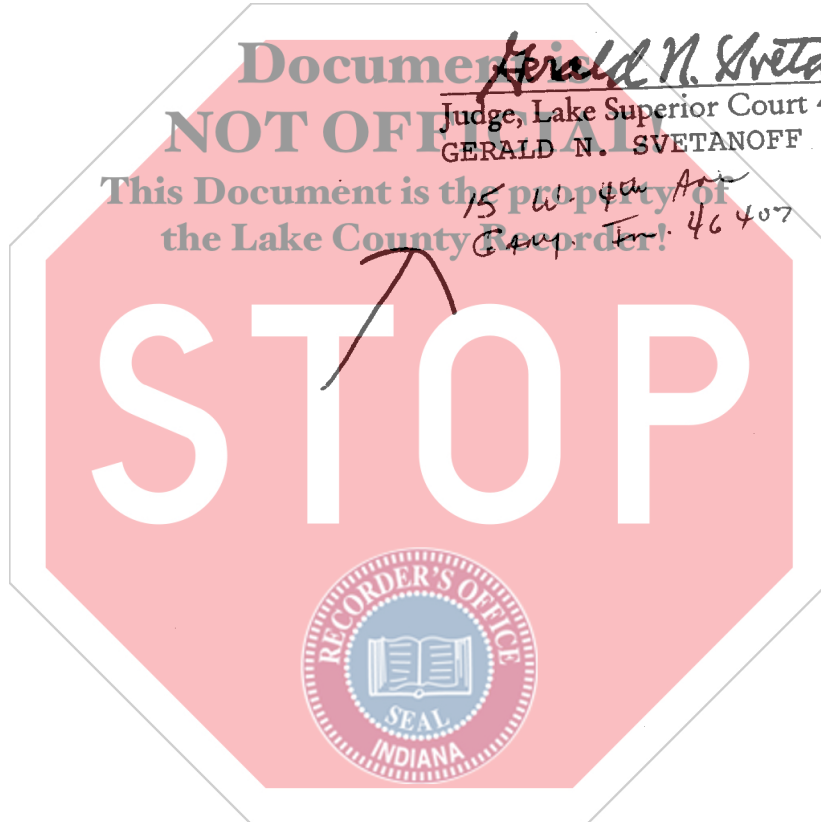
By: Marcia Avery Hanley
Marcia Avery Hanley
Deputy Attorney General
Attorney Reg. No. 16988-49

State of Indiana

X William Petrites
Defendant, William Petrites

By: Kevan L. McClure
Kevan L. McClure, Chief
Division of Land Acquisition
Indiana Department of Transportation

SO ORDERED AND APPROVED this 1st day of July, 2002.



Gerald N. Svetanoff
Judge, Lake Superior Court 4
GERALD N. SVETANOFF ↑

Copies to:

Marcia Avery Hanley
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South, Fifth Floor
402 West Washington Street
Indianapolis, Indiana 46204-2770

John R. Craig
Louis M. Casale
CASALE WOODWARD & BULS
9223 Broadway, Suite A
Merrillville, IN 46410

The Honorable Peter Benjamin
Auditor, Lake County, Indiana
Government Center
2293 N. Main Street
Crown Point, IN 46307

The Honorable Morris Carter
Recorder, Lake County, Indiana
Government Center
2293 N. Main Street
Crown Point, IN 46307

MAH/acl:48968



The United States of America



STATE OF INDIANA, COUNTY OF LAKE, ss:

I, the undersigned, Clerk of the Lake Superior Court of Lake County, and the keeper of the records and files thereof, in the State aforesaid, do hereby certify, that the above and foregoing is a full, true, correct and complete copy of the Order of Court dated July 1, 2002 in Case No. 45D04-0204-PL-00019 entitled STATE OF INDIANA -VS- WILLIAM PETRITES, etal as fully as the same appears of record in my office as such Clerk.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at my office in Gary in the said County, this 8th day of July, A.D., 2002

Anna N. Antons
Clerk Lake Superior Court,

By Jeaneth Perkins
Deputy