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STATE OF INDIANA) IN THE LAKE CIRCUIT/SUPERIOR COURT
) SS:
 COUNTY OF LAKE) CAUSE NO. 45003-0105-CP-825

STATE OF INDIANA,)
)
 Plaintiff,)
)
 v.)
)
 NICK KARAGAN,)
 ELAINE KARAGAN,)
 JOHN N. KARAGAN,)
 SAND RIDGE BANK,)
 and LAKE COUNTY, INDIANA,)
)
 Defendants.)

FILED

MAY 21 2004

STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR

FILED IN
OFFICE
2004 MAY 25 PM 9 27
LAKE COUNTY
COURT

COMPLAINT FOR APPROPRIATION OF REAL ESTATE

The Plaintiff, State of Indiana, states that:

I.
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The Plaintiff, acting through the Indiana Department of Transportation, is engaged in the improvement of a public highway, U.S. 41, in Lake County, Indiana. The Department has prepared and adopted plans for the improvement of U.S. 41 under Project No. NH-019-4(014).

II.

The Defendants, Nick Karagan, Elaine Karagan, and John N. Karagan, are the owners of the real estate described as:

Lot 1, except the North 800 feet thereof, in Park Addition to Highland, as per plat thereof, Recorded in Plat Book 28, page 22, in Lake County, Indiana, lying North of Nicksic's Park Addition to the Town of Highland as shown in Plat Book 41, Page 49 in the Office of the Recorder of Lake County, Indiana.

2004 MAY 21 AM 10:30
 LAKE COUNTY
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 MORRIS RECORDER'S OFFICE

Chicago Title Insurance Company
 62004330

Handwritten signatures and initials at the bottom right corner.

III.

Defendant, Sand Ridge Bank, may claim an interest in the real estate described above.

Defendant, Lake County, Indiana, may claim an interest in the real estate described above based on a first, prior and existing tax lien.

IV.

To improve U.S. 41, it is necessary and proper that the Plaintiff appropriate fee simple title to the real estate described in paragraph II. The parcel to be appropriated is described as:

A part of Lot 1 in Park Addition, an addition to the Town of Highland, Indiana, the plat of which is recorded in Plat Book 28, page 22, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at a point on the west line of said lot North 0 degrees 12 minutes 47 seconds East 61.307 meters (201.14 feet) from the southwest corner of said lot, which point of beginning is the southwest corner of the owners' land; thence North 0 degrees 12 minutes 47 seconds East 51.444 meters (168.78 feet) along the west line of said lot to the southwest corner of the North 800 feet of said lot; thence South 89 degrees 47 minutes 13 seconds East 4.111 meters (13.49 feet) along the south line of the North 800 feet of said lot; thence South 2 degrees 19 minutes 16 seconds East 51.494 meters (168.94 feet) to the south line of the owners' land; thence North 89 degrees 47 minutes 13 seconds West 6.388 meters (20.96 feet) along said south line to the point of beginning and containing 0.0270 hectares (0.067 acres), more or less.

A sketch of the real estate described in paragraph II, illustrating the real estate to be appropriated, is attached to this Complaint as Exhibit "A."

The residue of the real estate described in paragraph II, may be benefited by the proposed improvements of U.S. 41.

VI.

The Plaintiff has attempted to purchase the real estate it seeks to acquire in this cause and it has offered the owners Twenty-four Thousand Three Hundred Dollars (\$24,300.00) for their interest and any damages which might be caused by the State's appropriation. The Plaintiff and the owners have been unable to agree to a purchase price or to the amount of benefits and damages, if any, which may be sustained by reason of this appropriation.

VI.

The highway improvement project consists of the addition of travel lanes on U.S.R. 41 from 77th Avenue to Little Calumet River Lake County, Indiana. The proposed project is located in Sections 20, 21, 28, 29, 32 and 33 of Township 36 North, Range 9 West, as shown on the Highland, Indiana, U.S.G.S. 7.5 minute quadrangle; Sections 8, 9, 16, 17, 20 and 21 of Township 35 North, Range 9 West, St. John, Indiana, U.S.G.S. 7.5 minute quadrangle, Lake County, Indiana. The right of way will be 44 meters wide except where additional width may be required for construction purposes.

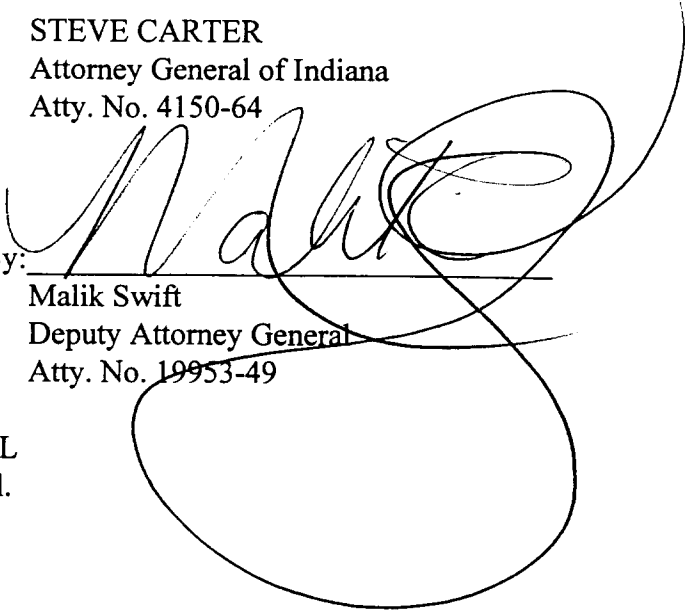
WHEREFORE, the Plaintiff respectfully requests that this Court order the appropriation of real estate interests the State seeks to acquire; appoint three disinterested freeholders of Lake County, Indiana, to appraise the value of the interests to be appropriated and the amount of benefits and damages, if any, caused by the appropriation; order the freeholders to make their report in writing to the Court; order the Clerk of the Court to send the appraisers' report, by Certified mail, as required by statute, to all parties and all counsel of record and grant all other just and proper relief.

The State of Indiana reserves the right to demand a trial by jury.

Respectfully submitted,

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

By:


Malik Swift
Deputy Attorney General
Atty. No. 19953-49

OFFICE OF THE ATTORNEY GENERAL
Indiana Government Center South, Fifth Fl.
402 West Washington Street
Indianapolis, Indiana 46204
Telephone: 317-232-4839
acl:11793



RIGHT-OF-WAY PARCEL PLAT
PREPARED FOR INDIANA DEPARTMENT OF TRANSPORTATION

PARCEL: 197
PROJECT: NH -019-4(014)
ROAD: U.S.R. 41
COUNTY: LAKE
SECTION: 21
TOWNSHIP: 36 N.
RANGE: 9 W.

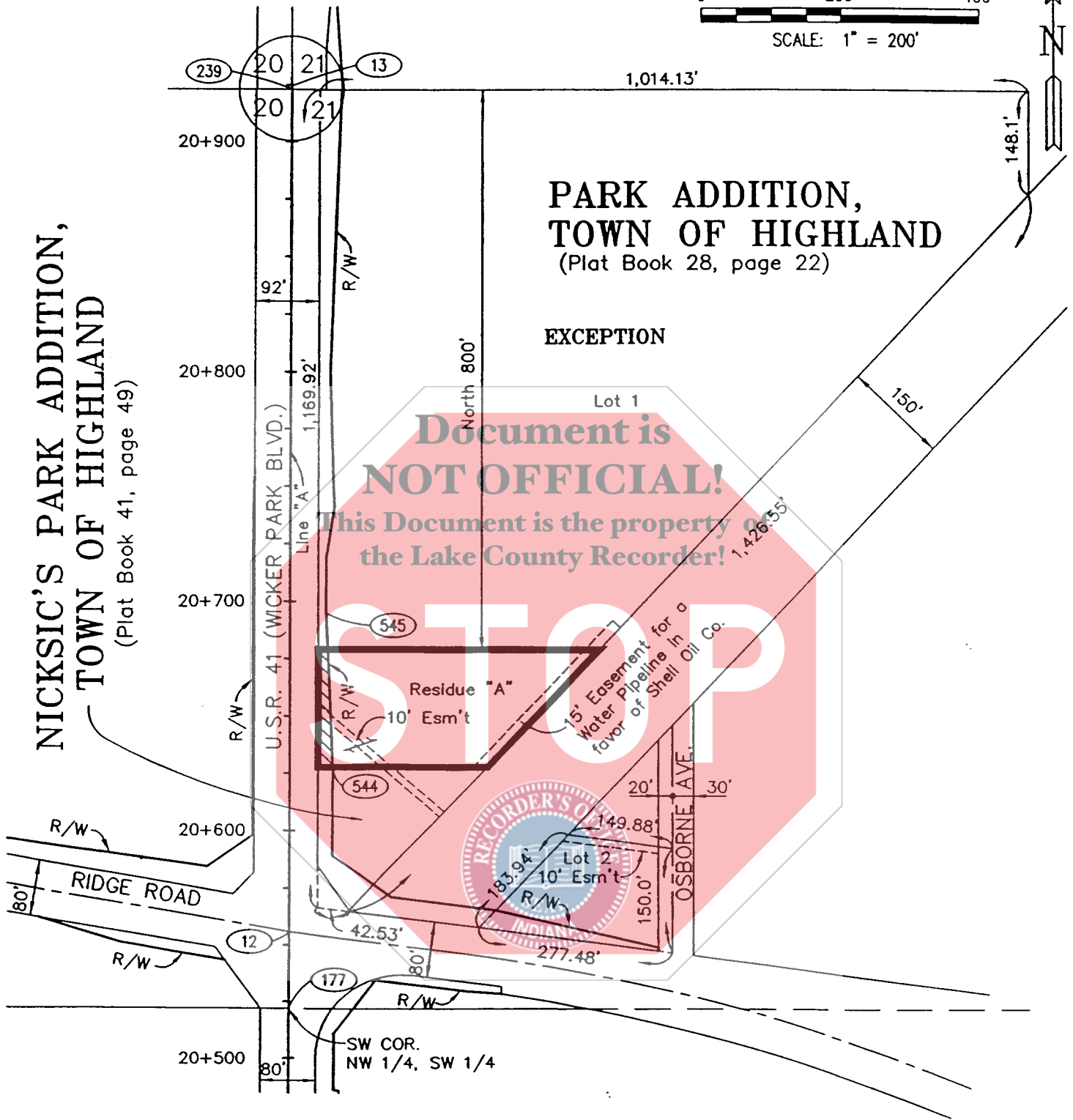
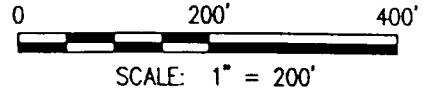
OWNER: KARAGAN, NICK ET AL
INSTRUMENT NO. 99079841
DATED: 9-20-99

L.A. CODE: 3200
DES. NO.: 9133625
DRAWN BY: P.A. McCALLISTER, 6-20-00
CHECKED BY: C.J. HOGSTON, 6-27-00

Dimensions shown below are from the above listed record documents.
Centerline stationing tic marks are shown at 25 meter intervals.



Hatched area is the approximate taking.



This plat was prepared from information obtained from the recorder's office and other sources which were not necessarily checked by a field survey.

RIGHT-OF-WAY PARCEL PLAT
 PREPARED FOR INDIANA DEPARTMENT OF TRANSPORTATION

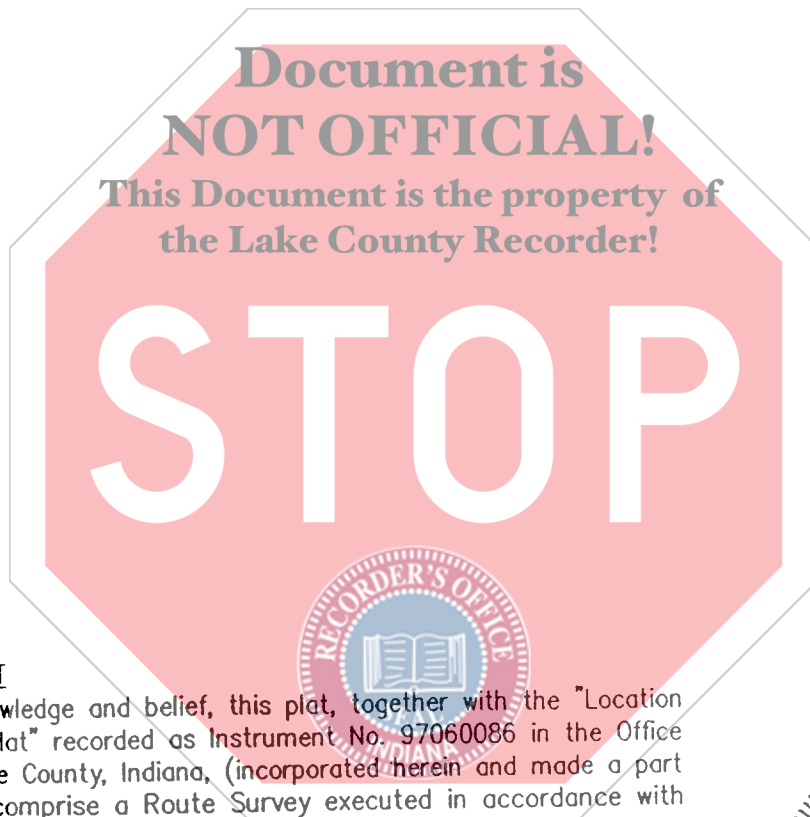
PARCEL: 197
 PROJECT: NH -019-4(014)
 ROAD: U.S.R. 41
 COUNTY: LAKE
 SECTION: 21
 TOWNSHIP: 36 N.
 RANGE: 9 W.

OWNER: KARAGAN, NICK, ET AL.

L.A. CODE: 3200
 DES. NO.: 9133625
 DRAWN BY: P.A. McCALLISTER, 6-20-00
 CHECKED BY: C.J. HOGSTON, 6-27-00

POINT REFERENCE TABLE (METRIC UNITS)					
(NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES)					
POINT	CENTERLINE	STATION	OFFSET	NORTHING	EASTING
12	"A"	20+555.586	0	18759.2948	9926.4031
13	"A"	20+924.627	0	19128.3327	9927.9121
177	"A"	20+521.813	0.150 Lt	18725.5227	9926.1152
239	"A"	20+923.035	0.299 Lt	19126.7421	9927.6069
544	"A"	20+627.777	19.000 Rt	18831.4073	9945.6982
545	"A"	20+695.000	16.000 Rt	18898.6422	9942.9731

* See "Location Control Route Survey Plat"



SURVEYOR'S STATEMENT

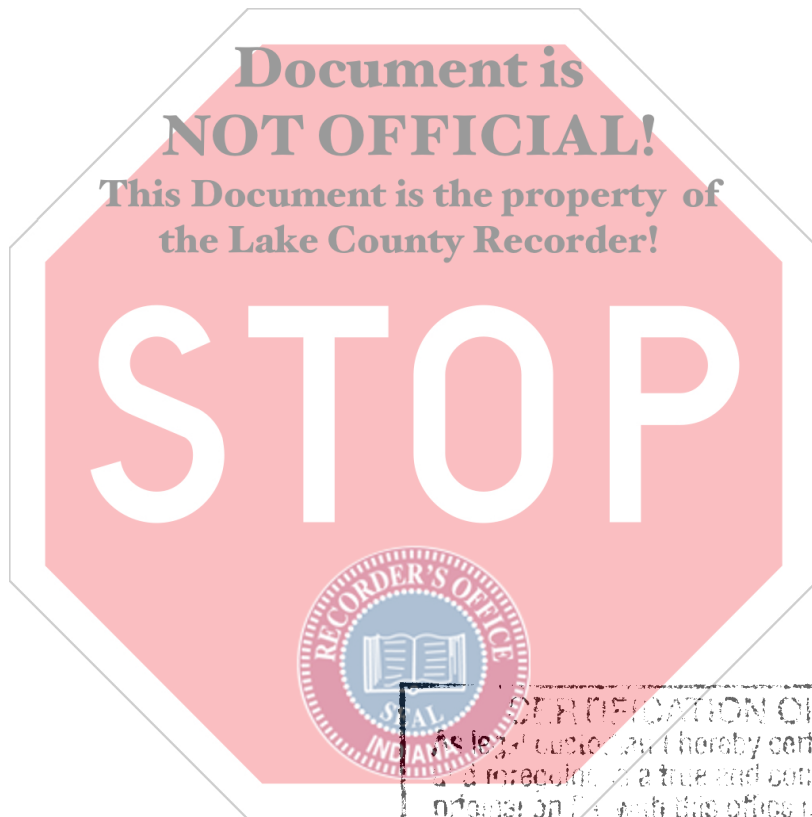
To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey Plat" recorded as Instrument No. 97060086 in the Office of the Recorder of Lake County, Indiana, (incorporated herein and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12, (Rule 12).

First Group
 Engineering Inc.
 5714 W. 74th Street,
 Indianapolis, Indiana
 Phone (317) 290-9549

Lawrence C. Suhre
 Lawrence C. Suhre
 Reg. Land Surveyor No. 910018
 State of Indiana

6-27-00
 Date





TESTIFICATION OF CLERK
I, the undersigned, hereby certify that the above
is a true and complete copy of the
original on file with this office in the cause stated
therein.
Witness my hand and the seal of the court this
20th day of March 2010
at the County Clerk's Office, Lake County, Indiana
I, Sharon D. Damm
County Clerk