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STATE OF INDIANA) IN THE LAKE CIRCUIT/SUPERIOR COURT
COUNTY OF LAKE) SS:
CLERK'S OFFICE) CAUSE NO.

STATE OF INDIANA,)
EMMA M. ANTON)
Plaintiff,)
v.)

TRI-STATE PROPERTY MANAGEMENT, INC.,)
NICK P. KARAGAN,)
ELAINE KARAGAN,)
SAND RIDGE BANK f/k/a BANK OF HIGHLAND,)
and LAKE COUNTY, INDIANA,)

Defendants.)

COMPLAINT FOR APPROPRIATION OF REAL ESTATE

The Plaintiff, State of Indiana, states that:

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

II.
The Defendant, Tri-State Property Management, Inc., is the owner of the real estate described as:

Lot 1, Nicksic's Park Addition to the Town of Highland, as shown in Plat Book 41, page 49, in Lake County, Indiana.

III.
Defendants, Nick Karagan, Elaine Karagan, and Sand Ridge Bank, may claim an interest in the real estate described in this case.

5-15-01
4(cm)
(2) SHRE

Chicago Title Insurance Company
620043310

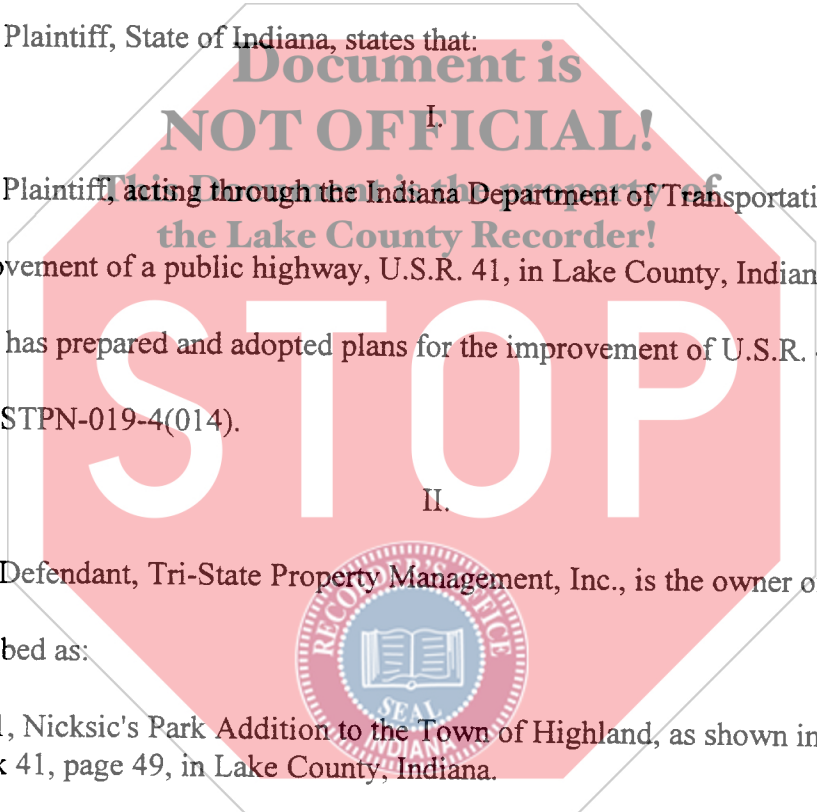
45C010105TP00534

CERTIFIED MAIL
POST MARKED 05-07-01

FILED

MAY 21 2004

STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR



Handwritten initials and numbers: 1002, 1001, 1002

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

IV.

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

A part of Lot 1 in Nicksic's Park Addition, an addition to the Town of Highland, Indiana, the plat of which is recorded in Plat Book 41, page 49, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at the northwest corner of said lot; thence South 89 degrees 47 minutes 13 seconds East 6.388 meters (20.96 feet) along the north line of said lot; thence South 0 degrees 14 minutes 03 seconds West 38.777 meters (127.22 feet); thence South 54 degrees 24 minutes 53 seconds East 21.539 meters (70.67 feet) to the southeastern line of said lot; thence South 43 degrees 35 minutes 12 seconds West 15.248 meters (50.03 feet) along said southeastern line to the south corner of said lot; thence North 34 degrees 37 minutes 00 seconds West 23.575 meters (77.35 feet) along the southwestern line of said lot to the southwest corner of said lot; thence North 0 degrees 12 minutes 47 seconds East 42.977 meters (141.00 feet) along the west line of said lot to the point of beginning and containing 513.3 square meters (5,525 square feet), 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."

V.

The Plaintiff has attempted to purchase the real estate it seeks to acquire in this cause and it has offered the owner Ninety-three Thousand Five Hundred Dollars (\$93,500.00) for its interest and any damages which might be caused by the State's appropriation. The Plaintiff and the owner 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.

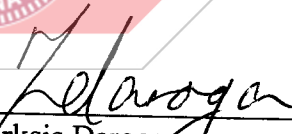
The highway improvement project consists of addition of travel lanes on U.S.R. 41 from 77th Avenue to Little Calumet River, Lake County, Indiana. The proposed project is located in Sections 20, 21, 28, 29, 32 and 33 of Township 36 North, Range 9 West, as shown on the Highland, Indiana, U.S.G.S. 7.5 minute 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. 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: 
Zarkis Daroga
Deputy Attorney General
Atty. No. 17288-49

OFFICE OF THE ATTORNEY GENERAL
Indiana Government Center South, Fifth Fl.
402 West Washington Street
Indianapolis, Indiana 46204
Telephone: 317-232-6321
acl:10450



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

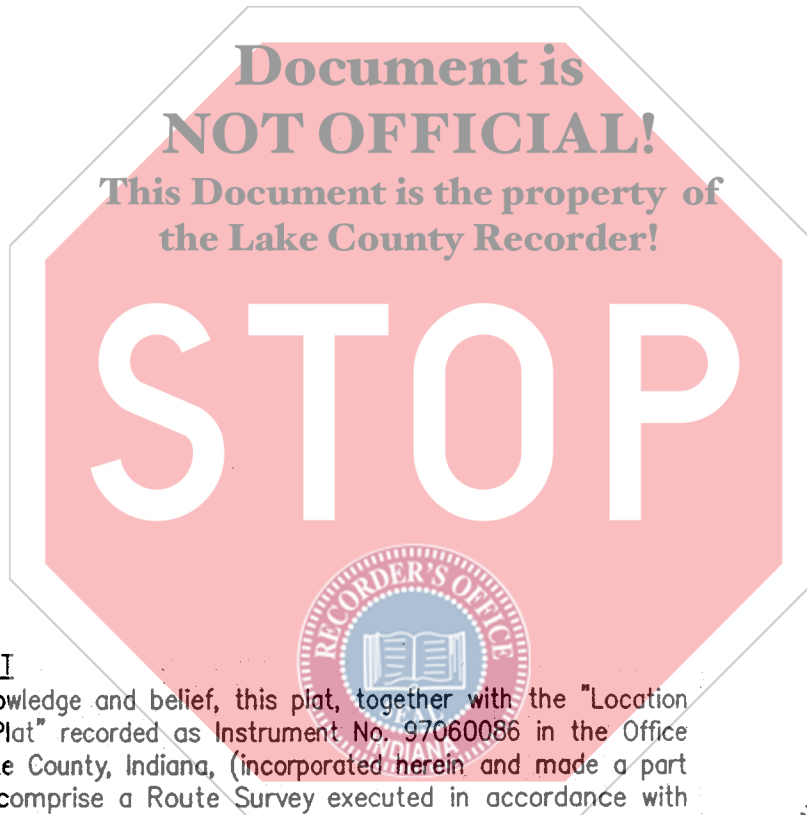
PARCEL: 148
 PROJECT: NH -019-4(014)
 ROAD: U.S.R. 41
 COUNTY: LAKE
 SECTION: 21
 TOWNSHIP: 36 N.
 RANGE: 9 W.

OWNER: TRI-STATE PROPERTY MANAGEMENT, INC.
 SOLD ON CONTRACT TO: KARAGAN, NICK P. ET UX.

L.A. CODE: 3200
 DES. NO.: 9133625
 DRAWN BY: P.A. McCALLISTER, 3-15-99
 CHECKED BY: C.J. HOGSTON, 6-10-99

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
12	"S-6-A"	5+000.000	0	18759.2948	9926.4031
13	"A"	20+924.627	0	19128.3327	9927.9121
75	"S-6-A"	5+191.204	0	18733.9626	10115.9216
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
568	"A"	20+589.000	19.000 Rt	18792.6308	9945.5396
639	"S-6-A"	5+042.000	21.000 Lt	18774.5452	9970.8152

* See "Location Control Route Survey Plat"



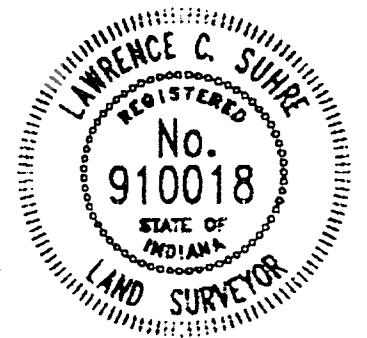
SURVEYOR'S STATEMENT

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

6-14-99
 Date



**Document is
NOT OFFICIAL!**

**This Document is the property of
the Lake County Recorder!**

STOP



CERTIFICATION OF CLERK

As legal custodian, I hereby certify that the above and foregoing is a true and complete copy of the original on file with this office in the cause stated thereon.

Witness my hand and the seal of the court this 20th day of May 2004.

Thomas R. Philpot
Clerk of the Lake Circuit and Superior Courts

By: M. Muter
Deputy Clerk