

2004 - 042771
2004 MAY 24
11-30
AUD: 152

ALTA / ACSM LAND TITLE SURVEY

711 - 727 RIDGE ROAD, GRIFFITH, IN

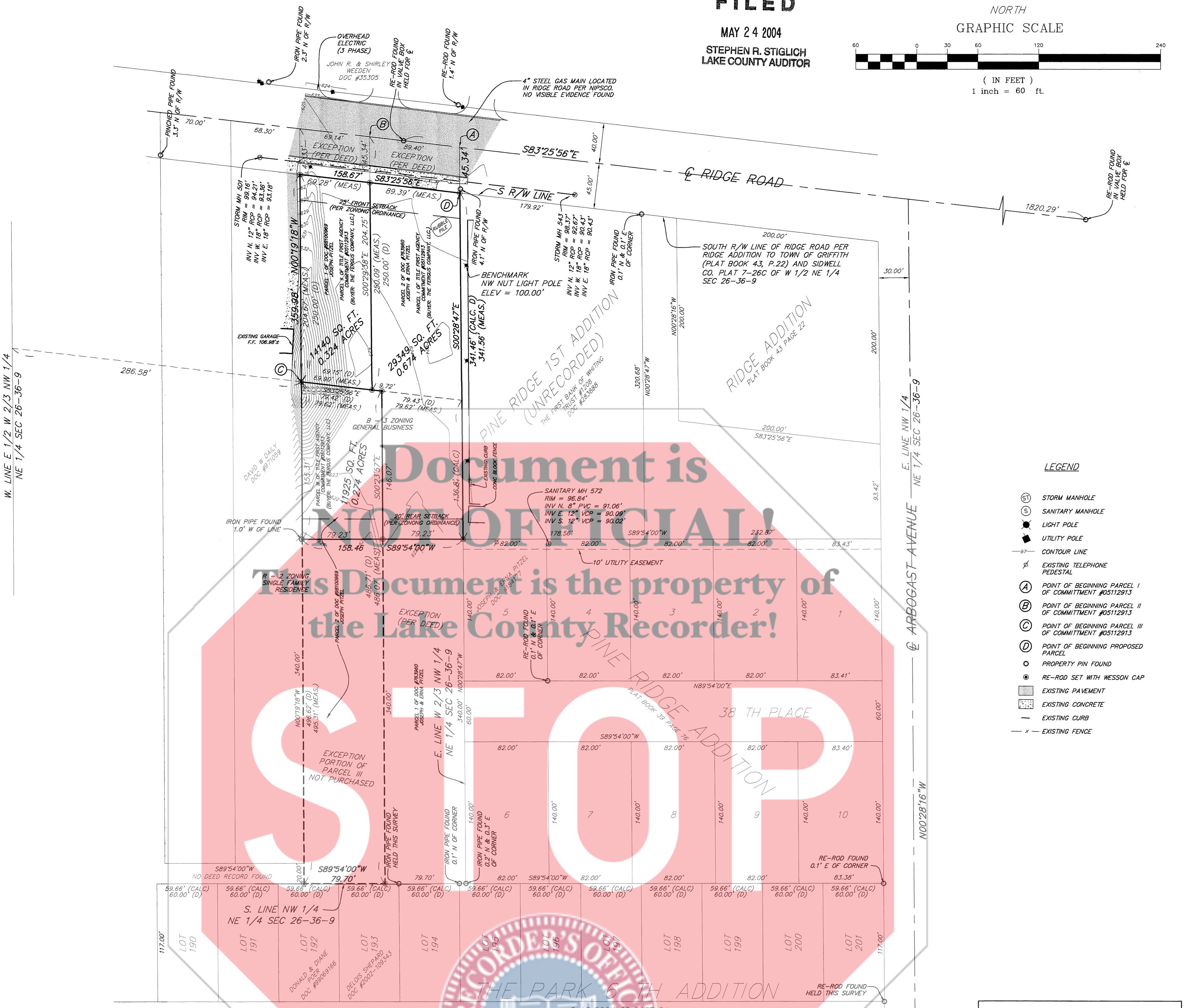
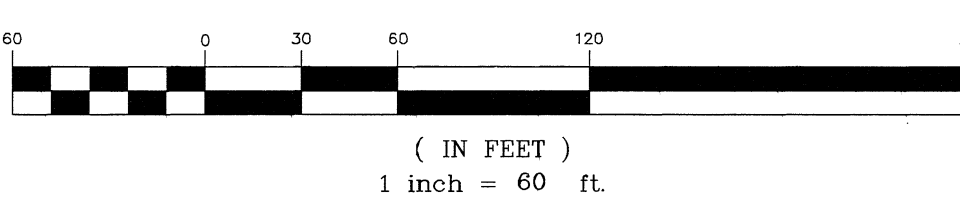
Prepared for: THE FERGUS COMPANY LLC

FILED

MAY 24 2004
STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR

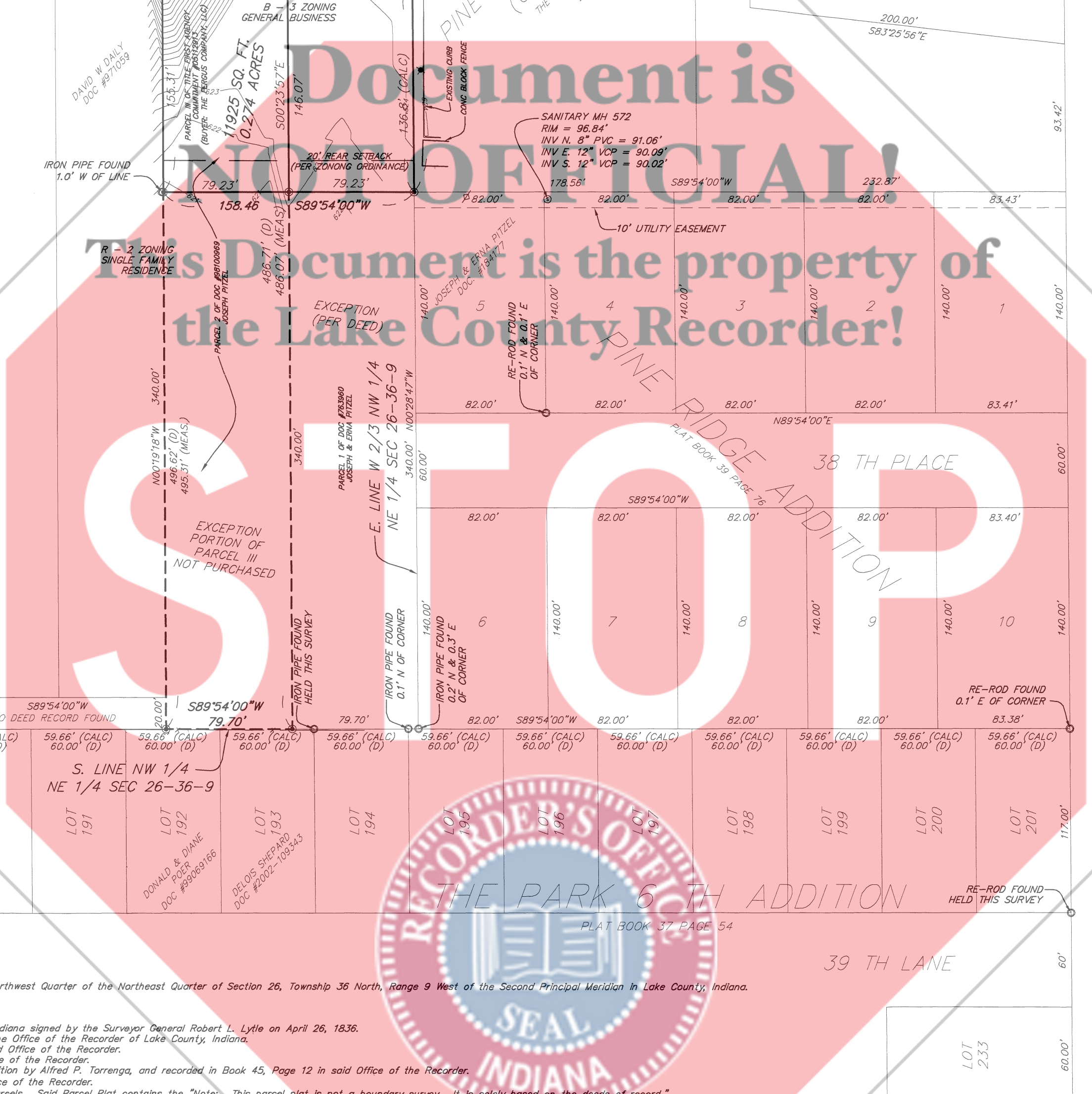


GRAPHIC SCALE



LEGEND

- ⊙ STORM MANHOLE
- ⊙ SANITARY MANHOLE
- ⊙ LIGHT POLE
- ⊙ UTILITY POLE
- CONTOUR LINE
- ⊙ EXISTING TELEPHONE PEDESTAL
- ⊙ POINT OF BEGINNING PARCEL I OF COMMITMENT #0512913
- ⊙ POINT OF BEGINNING PARCEL II OF COMMITMENT #0512913
- ⊙ POINT OF BEGINNING PARCEL III OF COMMITMENT #0512913
- ⊙ POINT OF BEGINNING PROPOSED PARCEL
- ⊙ PROPERTY PIN FOUND
- ⊙ RE-ROD SET WITH WESSON CAP
- EXISTING PAVEMENT
- EXISTING CONCRETE
- EXISTING CURB
- EXISTING FENCE



SURVEYOR'S REPORT

This is a survey of three parcels in the East Half of the West two-thirds (2/3rds) of the Northwest Quarter of the Northeast Quarter of Section 26, Township 36 North, Range 9 West of the Second Principal Meridian in Lake County, Indiana.

- Plats used this survey:
- Government Plat of Township 36 North, Range 9 West of the Second Principal Meridian, Indiana signed by the Surveyor General Robert L. Lytle on April 26, 1836.
 - The Park 6th Addition to the Town of Griffith as recorded in Plat Book 37, Page 54 in the Office of the Recorder of Lake County, Indiana.
 - Ridge Addition to the Town of Griffith as recorded in Plat Book 43, Page 22 in said Office of the Recorder.
 - A survey of the east half being Lot 3 of the unrecorded plat of Pine Ridge First Addition by Alfred H. Tarrence, and recorded in Book 43, Page 12 in said Office of the Recorder.
 - Whelan's 2nd Second Subdivision as recorded in Plat Book 78, Page 79 in said Office of the Recorder.
 - A Parcel Plat by Fok P.L. dated 12/04/2002, unrecorded in Plat Book 43, Page 22 in said Office of the Recorder. This parcel plat is not a boundary survey. It is solely based on the deeds of record.
 - Plat of the West Half of the Northeast Quarter of Section 26, Township 36 North, Range 9 West of the Second Principal Meridian, Indiana, signed by the Surveyor General, copyright 1978 and shown as 7-26 in the Surveyor's Office of Lake County, Indiana.

A. AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS:
Found monuments are of unknown origin, in good condition, and flush with the ground unless otherwise indicated on this plat.

B. SECTION CORNERS FOR SAID SECTION 26:
• Section corners for said Section 26 were referenced by said Surveyor's Office but no references were available for the Quarter corners of said Section 26.
• Monuments were found along the North line of said The Park 6th Addition, along the West Right-of-Way line of Arbogast Avenue, the North and South Rights-of-Way of Ridge Road, the centerline of Ridge Road, and as shown elsewhere on this plat.

C. CLARITY OR AMBIGUITY OF RECORD DESCRIPTIONS:
• The East and West lines of the subject parcel and several of the parcels to the East and West of the said subject parcels do not have definite directions, angular reference to the previous boundary call, or reference to the aliquot parts of said Section 26, leaving some doubt to the exact location of said lines and forcing one to rely totally on distances to establish a mathematically closed parcel compatible with adjoining and nearby parcels. Some parcels, including the West adjoiner, omit some distance calls on their boundaries.
• There is no definite distance for the South Right-of-Way line of Ridge Road contained in the deeds. Distances were obtained from said Sitwell Plat and said Ridge Addition plat.
• The location of the East line of Parcel 2 of Document #99100969 and the southern part of Parcel 2 of Document #763960, which could be assumed to be contiguous, differ by 0.56 feet in the Easterly-Westerly direction (parallel to the centerline of Ridge Road) and 1.0 feet in the North-South direction. The location of the East line of Parcel 1 of said Document #99100969 and the location of the northern part (North 250 feet) of Parcel 2 of Document #763960 differ in the Easterly-Westerly direction (parallel to the centerline of Ridge Road) by 0.3 feet.
• The legal description of the Northern line of the parcel described as Parcel 2 in Document #99100969 is 158.25 feet and parallel to the centerline of Ridge Road, which runs in a definite Northwest-Southwest direction. The south line of this parcel is 158.40 feet and along the South line of said Northwest Quarter of the Northeast Quarter of Section 26, which runs in an approximate East-West line. If the East or West boundary line of said Parcel 2, while not exactly West or East, the East line of this parcel should be longer than said South line. It could be the numbers here reversed in the deed, though no evidence of this was found.
• The East line of the West adjoiner (Document #971059) indicates a distance of 224 feet from the centerline of Ridge Road while the combined distances of the subject parcels of Document #99100969 indicates this distance as 246.62 feet. If these lines are supposed to be contiguous there is a discrepancy of 22.62 feet in length. If they are not contiguous it could indicate a jog in the West line of Document #99100969 and a possible gap or overlap between the subject parcel and its West adjoiner. The information in the deeds is too ambiguous to make an exact determination.
• There were no other apparent discrepancies found with the record descriptions.

D. THE THEORETICAL UNCERTAINTY OF THE MEASUREMENTS:
The absence of location of Quarter corners would require the establishment of the Northeast Quarter by proportionate measurement while assuming there are no beads of said Quarter corners. With all the platted and established subdivisions and parcels in the area of this survey, along with having the use of proportionate measurement to establish the East Half of the West two-thirds of the Northwest Quarter of the Northeast Quarter of said Section 26, could create more ambiguities than already exist. It was deemed to use the found evidence from said subdivisions and parcels to establish the boundary of said Northwest Quarter of the Northeast Quarter. This seemed more prudent as to establishing the original lines.

The East line of said Northwest Quarter of the Northeast Quarter was established using found monuments along the East side of The Park 6th Addition, as being the West Right-of-Way line of Arbogast Avenue. These monuments lined up well. The East line of said Northwest Quarter of the Northeast Quarter was established at 30 feet East of this monument created line as per said The Park 6th Addition.

The South line of said Northwest Quarter of the Northeast Quarter was established using the found monuments along the North side of The Park 6th Addition. These monuments fit substantially well for alignment, which was the major concern here. By prorating dimensions of the North sides of the lots of The Park 6th Addition, these monuments also fit well for lot corners.

The centerline of Ridge Road was established from monuments recently set for road reconstruction. This created the best fit for the deed dimensions of the subject parcel and the parcels to the East of the subject parcel. The monuments found along the Northern and Southern Right-of-Way of Ridge Road created a less satisfactory fit. Note that records indicate the north Right-of-Way is 40 feet and the South Right-of-Way is 45 feet from said centerline of Ridge Road.

The dimensions and location of the subject parcel were established using a best-fit scenario when considering the deed calls of the subject parcel and adjoiners, realizing the ambiguities as stated in Section C above.

See Plat for details.
Based on this survey, it is my opinion that the amount of uncertainty of the location of the deed lines and corners is as follows:
• By found monuments: As much as 4.1 feet.
• By evidence of underground and site utilities: as shown on the Plat. Other utility information was obtained from local utility companies.
• By clarity or ambiguity of record descriptions: 22.6 feet.
There may be unwritten rights associated with these uncertainties.
The theoretical uncertainty (due to random errors in measurements) is within the specifications for a Class "C" survey of ± 0.50 foot as defined in Title 865, Article 1, Chapter 12, of the Indiana Administrative Code.

- Notes:
- The Basis of Bearings is an assumed South 00° 28' 47" East for the East line of the West two-thirds of the Northwest Quarter of the Northeast Quarter of Section 26-36-9.
 - Title Commitment Policy Number 0512913, date issued November 2, 2003, by Title First Agency ICP, Ltd. and revised November 19, 2003, was provided by The Fergus Company and used for this survey.
 - The overall field traverse was performed as a rapid open-ended survey with check measurements made between corners where possible.
 - Ridge Road, a public road, provides access to the site.
 - Visible evidence of underground and site utilities are as shown on the Plat. Other utility information was obtained from local utility companies.
 - In accordance with the FEMA Flood Insurance Rate Map Panel # 185175 0004C, dated October 15, 1982, this property is in Flood Hazard Zone C.
 - Proposed parcel is zoned B-3 General Business. Parcel currently lies within the Town of Griffith.
 - Building site restrictions are per Zoning Ordinance of the Town of Griffith, dated 2/16/01. Setbacks are as follows: Front = 25 feet, Side = 0 feet, Rear = 20 feet.
 - This survey includes items 1, 2, 3, 4, 5, 6, 7(a), 8, 9, 10, 11(a), 12, 13, 14, 15, and 16 of Table A.
 - There are no buildings visible on the site.
 - A rubble pile was observed on the site as shown on the plat.
 - Assumed vertical datum is elevation 100.00. Benchmark is as noted on the Plat on the Northwest nut of a light pole located east of the parcel.
- Legal Description
- Parcel I (Title First Agency Commitment # 0512913) (Parcel 2 Document # 763960)
Part of the East Half of the West two-thirds of the Northwest Quarter of the Northeast Quarter of Section 26, Township 36 North, Range 9 West of the Second Principal Meridian, in Lake County, Indiana, described as follows: Commencing at a point in the center of Ridge Road on the East line of the East Half of the West two-thirds of said Northwest Quarter of the Northeast Quarter of Section 26, thence West along said South line a distance of 79.70 feet; thence North 486.71 feet; thence Northwesterly along a line parallel with and 250 feet South of the centerline of said Ridge Road a distance of 9.72 feet; thence North 250 feet to the centerline of Ridge Road; thence Southwesterly along the centerline of Ridge Road a distance of 69.40 feet to the place of beginning, excepting therefrom that part thereof taken for Ridge Road, also except the South 340 feet thereof.
- Parcel II (Title First Agency Commitment # 0512913) (Parcel 1 Document # 99100969)
The East Half of the West two-thirds of the Northwest Quarter of Section 26, Township 36 North, Range 9 West of the Second Principal Meridian in Lake County, Indiana, described as follows: Commencing at a point in the center of Ridge Road 89.40 feet Northwesterly (measured along the center of said Ridge Road) from the East line of the East Half of the West two-thirds of the Northwest Quarter of the Northeast Quarter of Section 26, thence South 00° 28' 47" East (an assumed bearing) along the East line of the West two-thirds of the Northwest Quarter of the Northeast Quarter of Section 26, thence South 00° 28' 47" East (an assumed bearing) along the East line of the West two-thirds of the Northwest Quarter of the Northeast Quarter of Section 26, thence West 158.40 feet to the center of Ridge Road 69.40 feet to the center of Ridge Road 69.40 feet to the place of beginning, except inasmuch that part taken for Ridge Road.
- Parcel III (Title First Agency Commitment # 0512913) (Parcel 2 Document # 99100969) (Parcel 2 Document # 763960)
Part of the East Half of the West two-thirds of the Northwest Quarter of the Northeast Quarter of Section 26, Township 36 North, Range 9 West of the Second Principal Meridian, in Lake County, Indiana, described as follows: Commencing at a point on a line parallel with and 250 feet South of the centerline of Ridge Road and 286.38 feet Easterly of the West line of the East Half of the West two-thirds of the Northwest Quarter of the Northeast Quarter of Section 26, thence East on a line parallel with and 250 feet South of the centerline of Ridge Road 158.85 feet to the East line of the East Half of the West two-thirds of the Northwest Quarter of the Northeast Quarter of said Section 26, thence South 476.80 feet to the South line of the Northwest Quarter of the Northeast Quarter of said Section 26; thence West 158.40 feet; thence North 496.62 feet to the place of beginning, also except the South 340 feet thereof; in the Town of Griffith, Lake County, Indiana.
- Commonly known as: 711-727 Ridge Road, Griffith, Indiana.

New Legal Description of Proposed Parcel (Combined parcels)
Part of the East Half of the West two-thirds of the Northwest Quarter of the Northeast Quarter of Section 26, Township 36 North, Range 9 West of the Second Principal Meridian, in Lake County, Indiana, more particularly described as follows: Commencing at a point in the center of Ridge Road on the East line of the East Half of the West two-thirds of said Northwest Quarter of the Northeast Quarter of Section 26, thence West along said South line a distance of 79.70 feet; thence North 486.71 feet; thence Northwesterly along a line parallel with and 250 feet South of the centerline of said Ridge Road a distance of 9.72 feet; thence North 250 feet to the centerline of Ridge Road; thence Southwesterly along the centerline of Ridge Road a distance of 69.40 feet to the place of beginning, excepting therefrom that part thereof taken for Ridge Road, also except the South 340 feet thereof.

SURVEYOR'S CERTIFICATE:
The undersigned hereby certifies to J. FERGUS, INC., THE FERGUS COMPANY LLC, SKY BANK, KEYBANK NATIONAL ASSOCIATION, ADVANCE STORES COMPANY, INC., FIDELITY NATIONAL TITLE INSURANCE COMPANY and/or TITLE FIRST AGENCY ICP, LTD. as of December 8, 2003, that this survey was actually made upon the ground; that it and the information, courses and distances shown thereon are as required under IAC 1-12 and the 1999 ALTA/ACSM Land Title Minimum Standards; that the title lines and lines of actual possession are the same; that this survey correctly shows the size, location and type of all visible buildings, structures and other improvements on the property and are all within the boundary lines and applicable setback lines (whether established by subdivision plat, recorded restrictions or applicable zoning or building codes) affecting the property; that there are no encroachments on adjoining premises, streets or alleys by any of said buildings, structures or other improvements or encroachments upon the property by any visible building, structure, or other improvement situated upon any adjoining premises; and that the property does not lie within any flood hazard area shown on the FEMA Flood Insurance Rate Map Panel # 185175 0004C, dated October 15, 1982. This survey was made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA, ACSM and NSPS in 1999 and includes items 1, 2, 3, 4, 5, 6, 7(a), 8, 9, 10, 11(a), 12, 13, 14, 15 and 16 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that the survey measurements were made in accordance with the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."



Peter J. Wesson
Professional Land Surveyor
0/29/2004
890038

THE FERGUS COMPANY LLC
ALTA / ACSM SURVEY

REVISIONS	BY	DATE	01/14/2004
01/22/2004	JPB	SCALE	1" = 60'
01/28/2004	JPB	CREATED	JPB / DGI
		PROJECT	1913
		SHEET	1

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