

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2006 021191

2006 MAR 14 PM 1:45

MICHAEL A. BROWN  
RECORDER

Form WD-1  
8/98

**WARRANTY DEED**

Project: NH-219-5(026)  
Code: 4153  
Parcel: 21  
Page: 1 of 2

**THIS INDENTURE WITNESSETH**, That Northern Indiana Public Service Company, an Indiana  
corporation

the Grantor(s), of Lake County, State of Indiana Convey(s) and  
Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Eight hundred sixty and  
00/100 Dollars  
(\$ 860.00 ) (of which said sum \$ 860.00 represents land and  
improvements acquired and \$ 0.00 represents damages) and other valuable consideration, the  
receipt of which is hereby acknowledged, certain Real Estate situated in the County of Elkhart, State of  
Indiana, and being more particularly described in the legal description(s) attached hereto as Exhibit "A" and depicted upon  
the Right of Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed  
in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the  
abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use,  
conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any  
right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a  
covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

Interests in land acquired by the Indiana  
Department of Transportation  
Grantee mailing address:  
100 North Senate Avenue  
Indianapolis, IN 46204-2219  
I.C. 8-23-7-31

This Instrument Prepared By

**MARK G. AHEARN**  
ATTORNEY AT LAW

Attorney at Law

TRANSACTION EXEMPT FROM SALES  
DISCLOSURE REQUIREMENTS UNDER  
IC6-1-1-5-5

005472

**NON-TAXABLE**

MAR 13 2006

**PEGGY HOLINGA KATONA**  
LAKE COUNTY AUDITOR

Handwritten arrow pointing up and to the right.

Handwritten initials "NU".

Handwritten initials "B".

Project: NH-219-5(026)  
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Parcel: 21  
Page: 2 of 2

The undersigned person executing this deed represents and certifies on behalf of the Grantor, that he/she is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the by-laws of the Grantor, to execute and deliver this deed; that the Grantor is a corporation in good standing in the State of its origin and, where required, in the State where the subject real estate is situate; that the Grantor has full corporate capacity to convey the real estate described; and that all necessary corporate action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument this 6<sup>TH</sup> day of DECEMBER, 2005.

Northern Indiana Public Service Company, an Indiana corporation

By Carl W. Harowski (Seal) \_\_\_\_\_ (Seal)  
Signature Signature

Carl W. Harowski  
Printed Name and Title Printed Name and Title

STATE OF INDIANA

COUNTY OF LAKE

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

Before me, a Notary Public in and for said State and County, personally appeared Carl W. Harowski,  
V.P. Real Estate of Northern Indiana Public Service Company, an Indiana corporation,  
the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be  
his/her voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 6<sup>TH</sup> day of DECEMBER, 2005.

John R. Carr  
Signature

JOHN R. CARR  
Printed Name

My Commission expires MAY 02, 2007

I am a resident of LA PORTE County.

**JOHN R CARR, III**  
Notary Public, State of Indiana  
County of Laporte  
My Commission Expires May 02, 2007

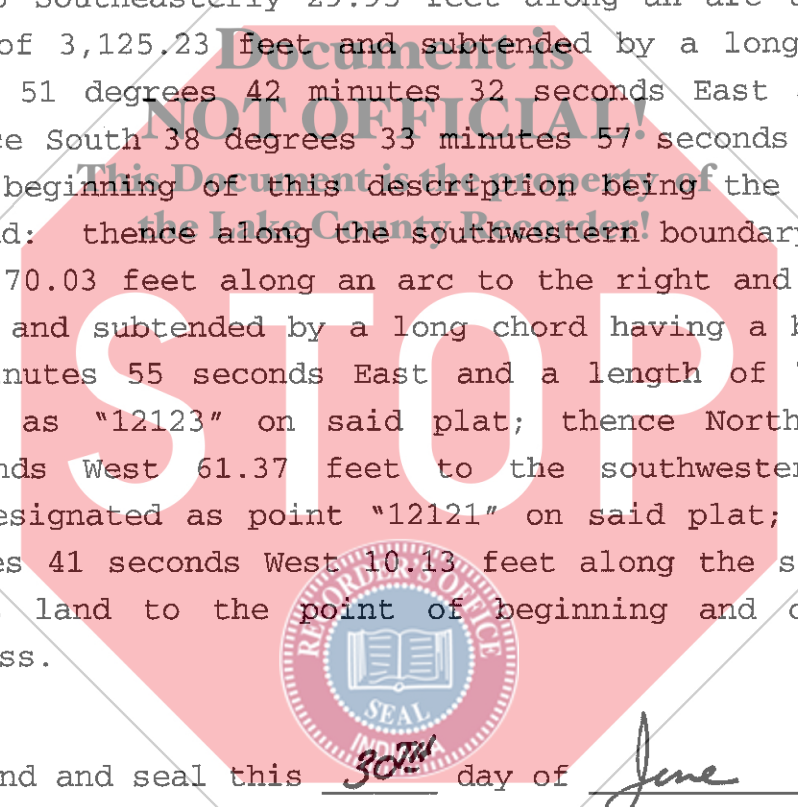


**EXHIBIT "A"**

Project: NH-219-5(026)  
Parcel: 21 Fee  
Form: WD-1

Sheet: 1 of 1  
Code: 4153

A part of the Northeast Quarter of the Southeast Quarter of Section 22, Township 37 North, Range 5 East, Elkhart County, Indiana, and being a part of the land of Deed Record 196, Pages 79-80, lying within the right of way lines depicted on the attached Right of Way Parcel Plat marked Exhibit "B", described as follows: Commencing at the northwest corner of said Quarter-Quarter Section, designated as point "1449" on said plat; thence South 0 degrees 26 minutes 09 seconds East (bearings based on the Location Control Route Survey Plat, Project NH-219-5( ), recorded in Instrument Number 2002-09261, in the Office of the Recorder of Elkhart County) 283.85 feet along the west line of said Quarter-Quarter Section to the centerline of U.S.R. 33 per Project F-420(9), 1969; thence South 51 degrees 59 minutes 00 seconds East 492.74 feet along the centerline of said U.S.R. 33 to a point designated as "108" on said plat; thence along the centerline of said U.S.R. 33 Southeasterly 29.95 feet along an arc to the right and having a radius of 3,125.23 feet and subtended by a long chord having a bearing of South 51 degrees 42 minutes 32 seconds East and a length of 29.95 feet; thence South 38 degrees 33 minutes 57 seconds West 50.00 feet to the point of beginning of this description being the north corner of the grantor's land: thence along the southwestern boundary of said U.S.R. 33 Southeasterly 70.03 feet along an arc to the right and having a radius of 3,075.23 feet and subtended by a long chord having a bearing of South 50 degrees 46 minutes 55 seconds East and a length of 70.03 feet to a point designated as "12123" on said plat; thence North 55 degrees 22 minutes 23 seconds West 61.37 feet to the southwestern line of the grantor's land designated as point "12121" on said plat; thence North 21 degrees 45 minutes 41 seconds West 10.13 feet along the southwestern line of the grantor's land to the point of beginning and containing 0.004 acres, more or less.



Given under my hand and seal this 30<sup>th</sup> day of June, 2004.



Douglas K. Herendeen  
Douglas K. Herendeen, L.S.  
Registered Land Surveyor  
State of Indiana, Surveyor No. S0468

PARCEL NO. : 21  
 PROJECT NO. : NH-219-5(026)  
 ROAD NAME : U.S. 33  
 COUNTY : ELKHART  
 SECTION : 22  
 TOWNSHIP : 37 N.  
 RANGE : 5 E.  
 CODE : 4153

OWNER : NORTHERN INDIANA PUBLIC SERVICE COMPANY  
 DEED RECORD 196, PAGES 79-80, DATED 08/30/1952  
 DEED RECORD 310, PAGES 96-97, DATED 11/03/70  
 DEED RECORD 292, PAGE 75, DATED 12/30/68  
 DRAWN BY: CVS 02/09/2004  
 CHECKED BY: DKH 02/11/2004

SCALE: 1" = 100'  
 SHEET 1 OF 1

HATCHED AREA IS THE APPROXIMATE TAKING  
 THIS PLAT WAS PREPARED FROM INFORMATION OBTAINED FROM THE RECORDERS OFFICE AND OTHER SOURCES WHICH WERE NOT NECESSARILY CHECKED BY A FIELD SURVEY.  
**EXHIBIT "B"**

### PARCEL COORDINATE CHART

POINT	NORTH	EAST	CL	STATION	OFFSET
108	48513.8129	36792.5509	"B"	140+98.89	P.C.
109	47781.1346	37470.8204	"B"	151+01.61	P.T.
1408	49103.1573	37708.5413		E Cor. Sec. 22	
1449	49101.1237	36402.1967		NW Cor. NE 1/4, SE 1/4, Sec. 22	
12121	48446.7561	36788.6405	"B"	141+37.79	55.00 Ft.
12123	48411.8849	36839.1382	"B"	142+00.00	50.00 Ft.

SEE LOCATION CONTROL ROUTE SURVEY PLAT FOR POINTS:  
 503, 505 & 508

NOTE: STATIONS AN OFFSETS CONTROL OVER BOTH NORTH AND EAST COORDINATES AND BEARINGS AND DISTANCES

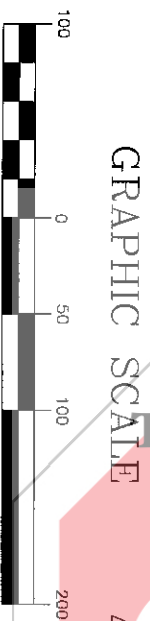
- Begin L.A. R/W
- End L.A. R/W

#### SURVEYORS STATEMENT

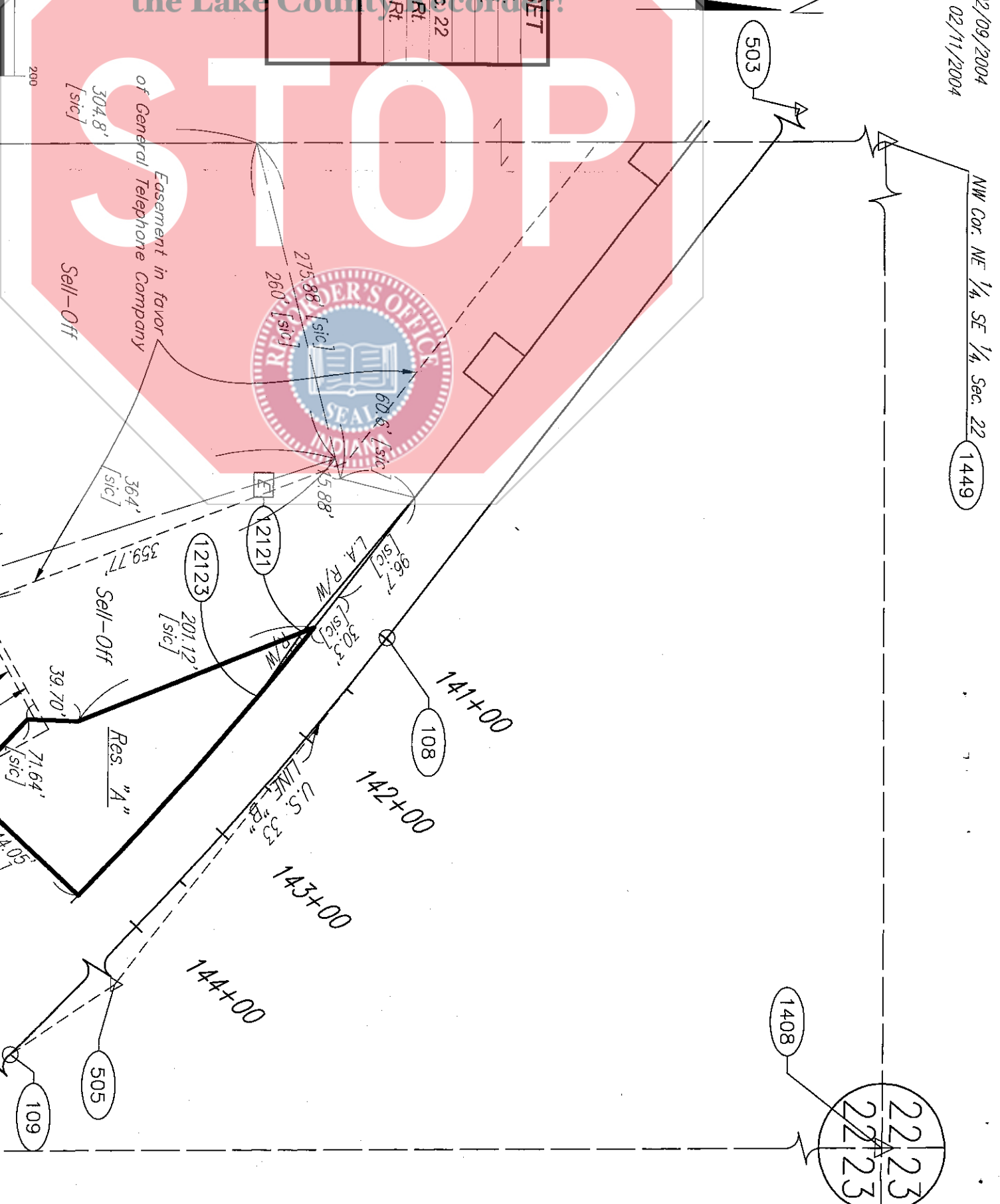
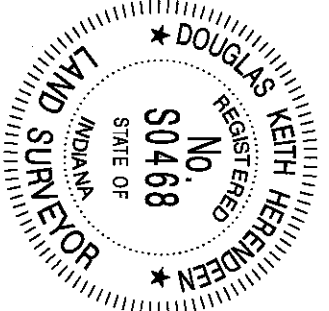
To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey Plat" recorded as Instrument No. 2002-09261, in the Office of the Recorder of ELKHART County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

#### ROUTE SURVEY PLAT

Prepared for - INDOT  
 by Butler, Fairman and Seufert, Inc. (Job # 4089.0610)



Douglas K. Herendeen, L.S. S04668 (Date)  
 Rev. 6/28/04



OWNER: NORTHERN INDIANA PUBLIC SERVICE COMPANY  
 DEED RECORD 196, PAGES 79-80, DATED 08/30/1952  
 DEED RECORD 310, PAGES 96-97, DATED 11/03/70  
 DEED RECORD 292, PAGE 75, DATED 12/30/68

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 CHECKED BY: DKH 02/11/2004

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 SHEET 1 OF 1



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EXHIBIT "B"

PARCEL COORDINATE CHART

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NOTE: STATIONS AN OFFSETS CONTROL OVER BOTH NORTH AND EAST COORDINATES AND BEARINGS AND DISTANCES

- [B] Begin L.A. R/W
- [E] End L.A. R/W

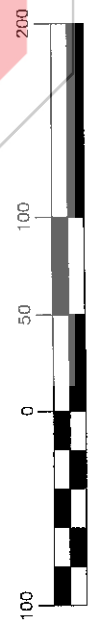
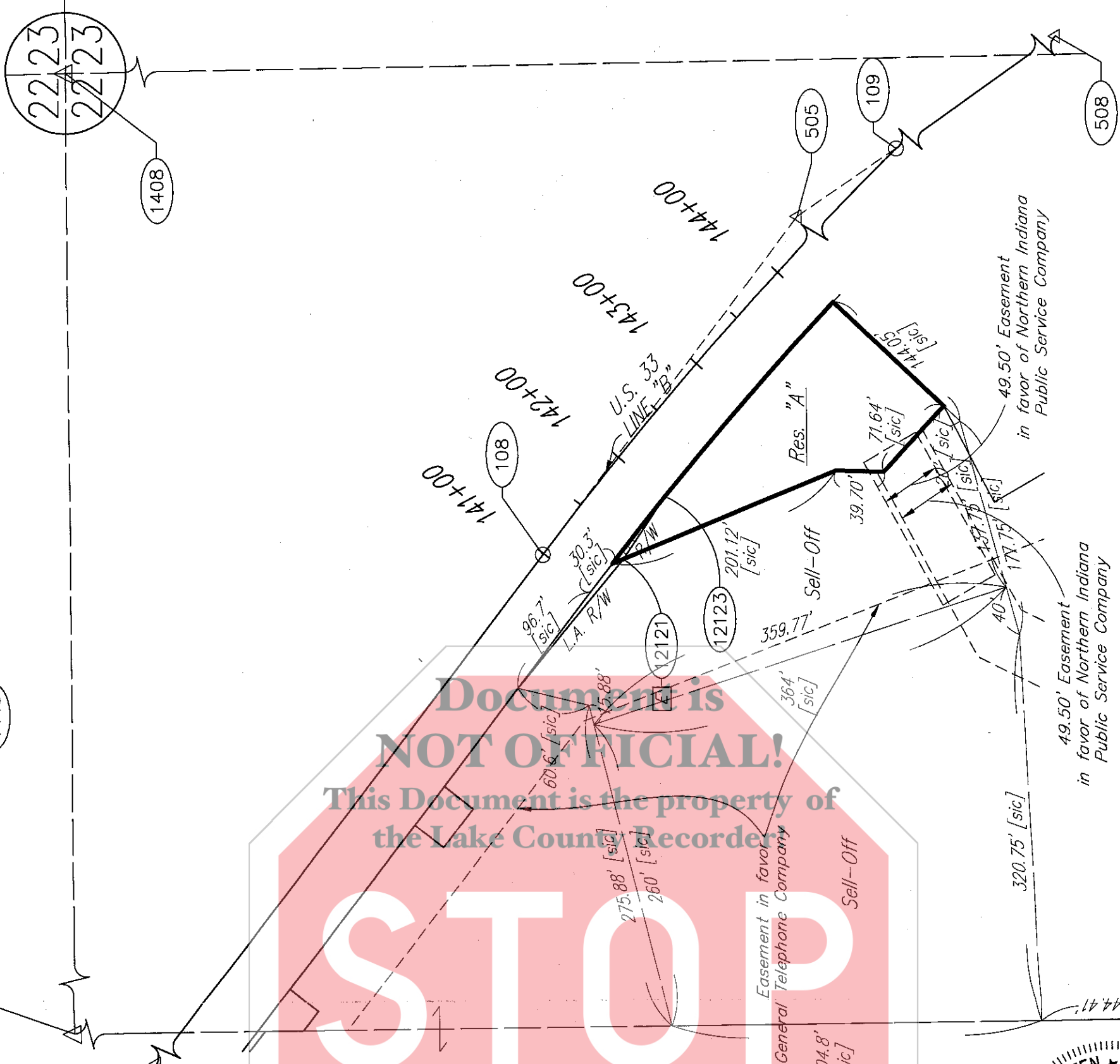
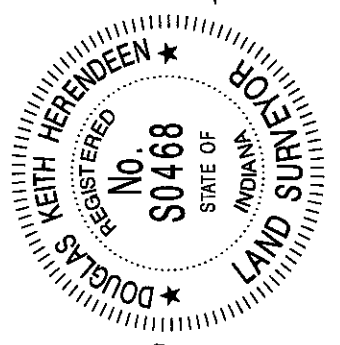
SURVEYORS STATEMENT

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ROUTE SURVEY PLAT

Prepared for -- INDOT  
 by Butler, Fairman and Seufert, Inc. (Job # 4089.0610) Rev. 6/28/04

*Douglas K. Herendeen* 6/30/04  
 Douglas K. Herendeen, L.S. 50468 (Date)



( IN FEET )  
 1 inch = 100 ft.

Declaration

This form is to be signed by the preparer of a document and recorded with each document in accordance with IC 36-2-7.5-5(a).

I, the undersigned preparer of the attached document, in accordance with IC 36-2-7.5, do hereby affirm under the penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under the penalties of perjury, that the foregoing declarations are true.

