





2 OF 2

2007 045513  
17/16

Site Map

2007 045513

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
2007 JUN -5 PM 2:44  
MICHAEL A. BROWN  
RECORDER

BOOK 17 PAGE 16

FILED  
JUN 05 2007  
PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

PROPERTY DESCRIPTION

(From Instr. No. 2000-081147)

Parcel 1: That part of the West half of the Southwest quarter of Section 22; Township 35 North, Range 8 West of the 2nd P.M.; described as follows: Beginning on the West line of said Section 22, at a point 32.6 feet South of the Northwest corner of the West half of the Southwest quarter of Section 22 (being the center line of U.S. Highway 30); thence South on the West Line of said Section a distant of 375 feet; thence East 425 feet; thence North 375 feet to a point 24.25 feet South of the North line of said Southwest quarter of Section 22 (being the center line of U.S. Highway 30); thence West 425 feet to the point of beginning, in Lake County, Indiana.

Parcel 2: The South 93.3 feet of the following real estate: That part of the West half of the Southwest quarter of Section 22, Township 35 North, Range 8 West of the 2nd P.M., described as beginning at the Northwest corner of said Southwest quarter of Section 22; thence South on the West line thereof 500.9 feet; thence East 425 feet to a point 492.55 feet South of the North line of said Southwest quarter of Section 22; thence North to a point in the North line of said Southwest quarter of Section 22 which is 424.94 feet East of the point of beginning; thence West to the point of beginning, in Lake County, Indiana.

Except: A tract of land located in the West half of Southwest quarter of Section 22, Township 35 North, Range 8 West of the 2nd P.M., and being more fully described as follows:

Commencing at the Northwest corner of West half of the Southwest quarter of Section 22; thence South on the West line of said Section a distant of 390.9 feet to the point of beginning; thence East 425 feet to a point 382.55 feet South of the North line of said quarter section; thence South 110 feet to a point 492.55 feet South of said North line; thence West 425 feet to a point 500.9 feet South of the Northwest corner of said quarter Section; thence North 110 feet to the point of beginning.

THE FOREGOING PREMISES (i.e. PARCELS 1 AND 2) ARE ALSO DESCRIBED AS FOLLOWS:

That part of the West Half of the Southwest Quarter of Section 22, Township 35 North, Range 8 West of the 2nd Principal Meridian, described as follows: Beginning of the West line of said Section 22 at a point 32.6 feet South of the Northwest corner of the West Half of the Southwest Quarter of Section 22 (being the center line of U.S. Highway 30); thence South on the West line of said Section a distance of 358.3 feet; thence East 425 feet; thence North 358.3 feet to a point 24.25 feet South of the North line of said Southwest Quarter of Section 22 (being the center line of U.S. Highway 30); thence West 425 feet to the place of beginning, in Lake County, Indiana; subject to the Right-of-Way of U.S. Highway 30 and State Highway 53.

TBM INFORMATION

TBM #1

Cut "X" on top of the Southmost anchor bolt of the Traffic Signal Strain Pole located at the Southeast corner of the intersection of U.S. 30 and S.R. 53.

Elevation = 671.90'

TBM #2

Cut "X" on top of the Northeast most upper flange bolt of a Fire Hydrant located 4'+- East of the East back of curb of S.R. 53 and 215'+- South of the centerline of U.S. 30.

Elevation = 671.91'

TBM #3

Cut "X" in top of the sidewalk located at the South most building corner of White Castle.

Elevation = 674.31'

BASIS OF ELEVATION

National Geodetic Survey Benchmark L137 Reset 1974

Bench Mark disk stamped L137 Reset 1974 set in top of the East edge of the South end of a concrete box culvert which runs under U.S. 30 located at the Southwest corner of the intersection of the Western entrance to The Shoppingtown Southlake Mall and U.S. 30.

Elevation = 677.44'

Utility Contact Information

Indiana American Water Northwest

Contact: Ed Nickels  
219-880-2326  
PO Box M-486  
Gary, IN 46401-0486  
UPS: 650 Madison Street

Merrillville Public Works

Contact: Bruce Spires  
219-769-6784  
13 West 73rd Avenue  
Merrillville, IN 46410

NIPSCO

Contact: Mark Pasyk  
219-647-4299  
801 East 86th Avenue  
Merrillville, IN 46410

Indiana Fiber Works

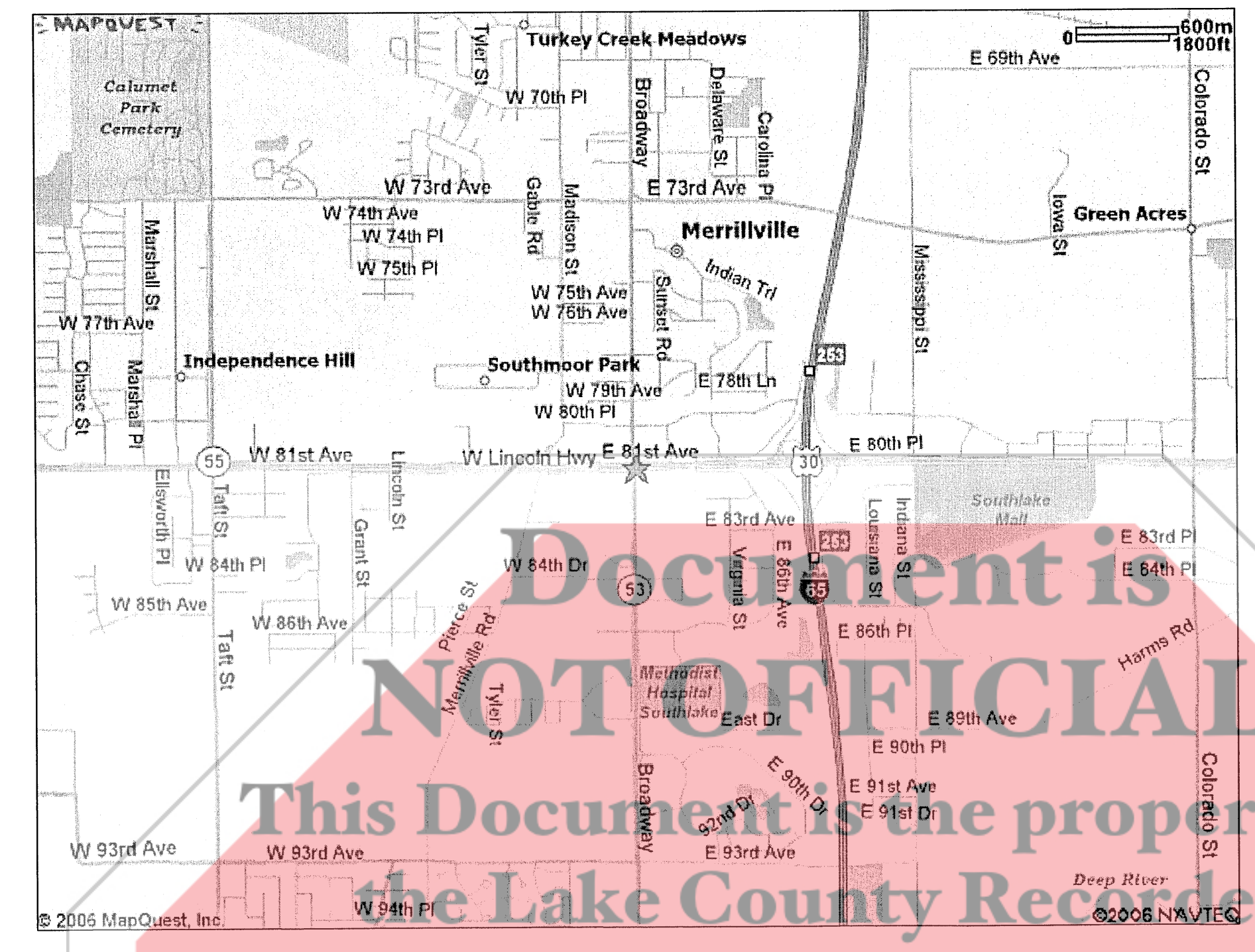
Contact: Jim Andrews  
317-524-5711  
141 East Washington Street  
Indianapolis, IN 46204

Merrillville Conservancy District

Contact: Christine V. Savarese  
219-980-5220  
6250 Broadway  
Merrillville, IN 46410

SBC

Contact: Scott Ostermeier  
317-968-6017  
240 North Meridian Street, Room 225  
Indianapolis, IN 46204



FLOOD STATEMENT

THE SUBJECT TRACT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA. THE ACCURACY IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON COMMUNITY PANEL NUMBER 1801380005 B OF THE FLOOD INSURANCE RATE MAPS EFFECTIVE DATE 10/15/1981.

ZONING NOTES:

The site is zoned C-3 as depicted on the Zoning Map found in the Document Center of the Town of Merrillville website. Items shown are general characteristics from The Town of Merrillville Code of Ordinances for C-3 Zoning Designation. Refer to the Town of Merrillville website for the most current and complete guidelines. The items shown are for reference only and Beacon Surveying & Engineering assumes no liability for their use.

- 1. The minimum setbacks for areas Zoned C-3 are as follows: Minimum Front Setback is 60', Minimum Rear Setback is 20', Minimum Side Setback is 10' each side.
- 2. The maximum allowable height of buildings for areas zoned C-3 is 70'.
- 3. The maximum floor area ratio for areas zoned C-3 is 2.0.

ADDITIONAL NOTES:

- 1. There are 57 regular parking spaces and 2 handicapped parking spaces.
- 2. All corners marked by 3/8" rebar with cap marked "Firm #0077" set flush unless otherwise noted.
- 3. A 40' Frontage Road is mentioned and shown along the East side of the East right of way of S.R. 53 and along the South side of the South right of way of U.S. 30 on a survey by Plumb, Tuckett and Associates of Merrillville, IN dated 5/16/80 and referenced as Job No. 0039, however it is noted on this survey that the Frontage Road R/W Dedication has not been proved. A search for the Frontage Road R/W Dedication was conducted and nothing was found. It has been shown on this survey for information purposes only.
- 4. Subject tract contains 81,350 square feet or 1.87 acres, more or less.
- 5. The utilities shown are per markings made for IUPPS Ticket No. 0606092662.
- 6. Spot elevations on concrete curb are shown only at the back of curb.
- 7. An easement to Northern Indiana Public Service Company for the construction and maintenance of gas lines as recorded August 29, 1964 in Miscellaneous Record 906, page 101 is within the right-of-way for U.S. 30 and does not affect the property within the boundary shown on this survey.
- 8. A reservation in Warranty Deed recorded September 16, 1980 in Document No. 598539 restricts the property from being used for the sale of petroleum products for a period of ten years from the date of the deed. As it has been more than ten years since the date of the deed, it appears that this restriction is no longer in effect.
- 9. All interests in title shown hereon are based on a title commitment provided by Chicago Title Insurance Company as Commitment No. 620066051 with an effective date of July 31, 2006 at 8:00 a.m.

SURVEYOR'S REPORT

The purpose of this survey was to establish the lines and corners of the above property. The property description is from Instrument Number 2000-081147

In accordance with Title 865, Article 1, Rule 12 of the Indiana Administrative Code, the following opinions are offered regarding the cause and the amount of uncertainty in the lines and corners found or established by the survey because of the following:

(A) Availability and condition of reference monuments  
The four corners of the section were found per ties provided by the Lake County Surveyor's Office and were located using GPS. While no reference existed, a monument marking the west quarter corner of the section was searched for but not found. Proration of the section to subdivide it caused up to 4 feet of discrepancy in monumentation found around the subject tract and its adjoiners. Iron pipes that were referenced on a survey of the subject tracts south adjoiner by Plumb Tuckett and Associates as Job Number S00590 were found at the subject tract's southeast corner and on the east side of a possible 40 foot frontage road right of way line along Broadway also known as S.R. 53 (said line being 90 feet east of the centerline of Broadway) at its intersection with the subject tract's south line were used to establish the south line of the subject tract. Holding said south line, record distances combined with bearings established by the above referenced survey were used to establish the centerlines of Broadway (S.R. 53) and Lincoln Highway (U.S. 30) as well as the subject tract's east line. The right-of-way per plans of INDOT Project Numbers 459-A and 17 both dated 1937 were used to establish the north and west lines of the subject tract.

(B) Occupation or possession lines  
Monuments found around the subject tract's adjoiners along with a right-of-way monument near the subject tract's northeast corner all fit very well with the lines as established by this survey. The physical centerlines of S.R. 53 and U.S. 30 as established by curb splits fit within 0.4 feet of their calculated location as established by this survey. A tree line along the subject tract's east line fits very well with the line as established by this survey.

(C) Clarity or ambiguity of the record description used and/or adjoiner's descriptions  
None

(D) The relative positional accuracy of measurements  
The relative positional accuracy is within the specifications for an Urban Survey as defined by Title 865 of the Indiana Administrative Code (plus or minus 0.07').

SURVEYOR'S CERTIFICATION

To: White Castle Indiana, LLC  
Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Items 1, 2, 3, 5, 6, 8, 9, 10, 11(a), 11(b) and 13 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, the undersigned further certifies that in my professional opinion as a land surveyor registered in the State of Indiana, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date: September 25, 2006  
Signed: Daniel G. Hoover

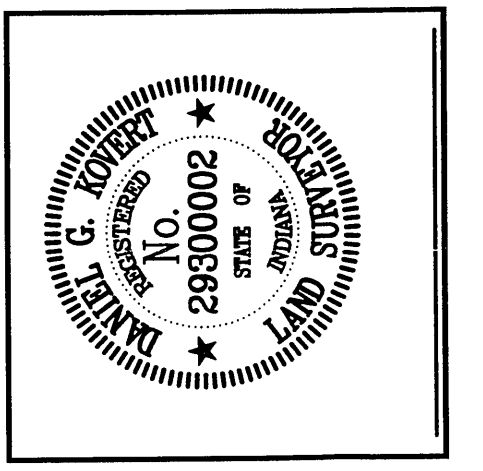
Registration No. 29300002

I affirm under penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Name: Daniel G. Hoover

BEACON Surveying & Engineering  
6251 Winthrop Ave., Suite 3 Indianapolis, IN 46220  
Phone 317.202.0525 Fax 317.202.0522  
HOLLEY MOLEY SAYS CALL 1-800-392-5544  
AT LEAST TWO FULL WORKING DAYS BEFORE YOU DIG

Date	Revisions



Project #	06-0024_05
Field Survey Date:	6/22/06
Drawn:	DCT
Checked:	DGK
Scale:	1" = 20'
Date:	6/30/06

ALTA/ACSM Land Title Survey  
White Castle Indiana LLC  
1 East 81st Avenue  
Merrillville, IN 46410  
Beacon Surveying & Engineering