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STATE OF INDIANA)
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COUNTY OF LAKE)

IN THE LAKE SUPERIOR/CIRCUIT COURT
SITTING AT GARY
LAKE COUNTY, INDIANA

2008 NOV 10 PM 2:58

CITY OF CROWN POINT, INDIANA,)

Plaintiff,)

vs.)

MARK S. KENDRA,)

Defendant.)

CAUSE NO. 50040811PL - 12

2008 076934

LIS PENDENS NOTICE

Take notice that on November 10, 2008, the Plaintiff, City of Crown Point, Indiana, filed its complaint in Lake County Superior/Circuit Court, in an action entitled Condemnation Complaint (the "Lawsuit"), against the following Defendant, Mark S. Kendra. In the Lawsuit, the Plaintiff seeks to acquire a fee simple interest with permanent limitation of access in a portion of certain real estate located in Lake County, Indiana, more particularly described as follows:

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2008 NOV 10 11:05
CLERK'S OFFICE
LAKE COUNTY, INDIANA

Part of the Northeast Quarter of Section 10, Township 34 North, Range 8 West of the 2nd P.M. in the City of Crown Point, Lake County, Indiana, being more particularly described as follows: Commencing at a track spike found at center of said Section 10; thence North 00° 01' 30" East, along the North-South centerline of said Section 10, a distance of 30.00 feet, to a point on the North right-of-way line of 113th Avenue, said point being the point of beginning; thence continuing North 00° 01' 30" East, along said North-South centerline a distance of 2022.77 feet, to an iron bar found on the southerly right-of-way line of the Chicago and Erie Railroad right-of-way (99 feet wide right-of-way); thence South 71° 29' 47" East, along said southerly right-of-way line, a distance of 1004.43 feet, thence South 00° 09' 40" East, 70.00 feet West of and parallel with the West line of the Interstate I-65 right-of-way, as recorded in Document No. 581403, dated August 20, 1964, a distance of 795.01 feet, thence South 03° 01' 25" East, 70.00 feet West of and parallel with said West line, a distance of 700.87 feet; thence South 00° 09' 40" East, 70.00 feet West of and parallel with said West line, a distance of 112.76 feet, thence South 84° 53' 59" West, 25.00 feet North of and parallel with the North right-of-way line of 113th Avenue, a distance of 319.18 feet, thence South 84° 58' 25" West, 25.00 feet North of and parallel with said North right-of-way line, a distance of 207.89 feet, thence South 00° 15' 50" East, a distance of 25.09 feet, to a point on said North right-of-way line; thence South 84° 58' 25" West, along said North right-of-way, a distance of 91.05 feet,

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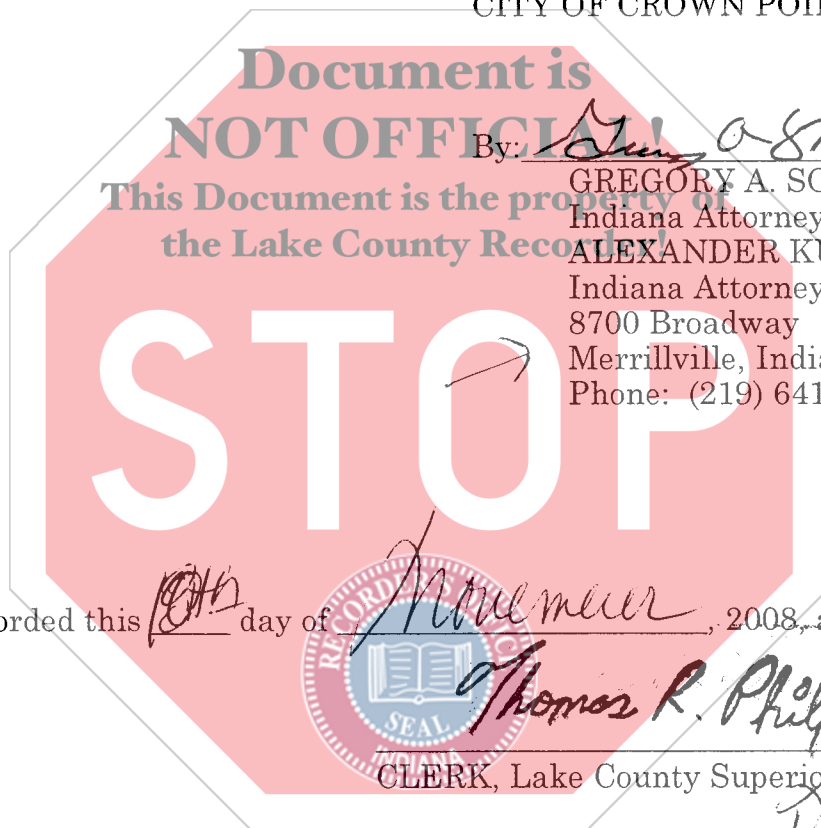
thence South 81° 58' 19" West, along said North right-of-way line, a distance of 110.61 feet, thence South 89° 44' 10" West, along said North right-of-way line, a distance of 267.79 feet, to the point of beginning, all in the City of Crown Point, Lake County, Indiana.

In order to make improvements to I-65 at 109th Avenue, it is necessary and proper that Plaintiff appropriate a fee simple interest with permanent limitation of access in the real estate described on **Exhibit A** and **Exhibit B** attached hereto.

The Plaintiff seeks to acquire a fee simple interest with permanent limitation of access in the above-described real estate for improvements to I-65 at 109th Avenue, by its use of the power of eminent domain.

Respectfully submitted,

HODGES & DAVIS, P.C.
ATTORNEYS FOR PLAINTIFF
CITY OF CROWN POINT, INDIANA



By: *Gregory A. Sobkowski*
GREGORY A. SOBKOWSKI
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Filed and recorded this *10th* day of *November*, 2008, at *4:00* p.m.

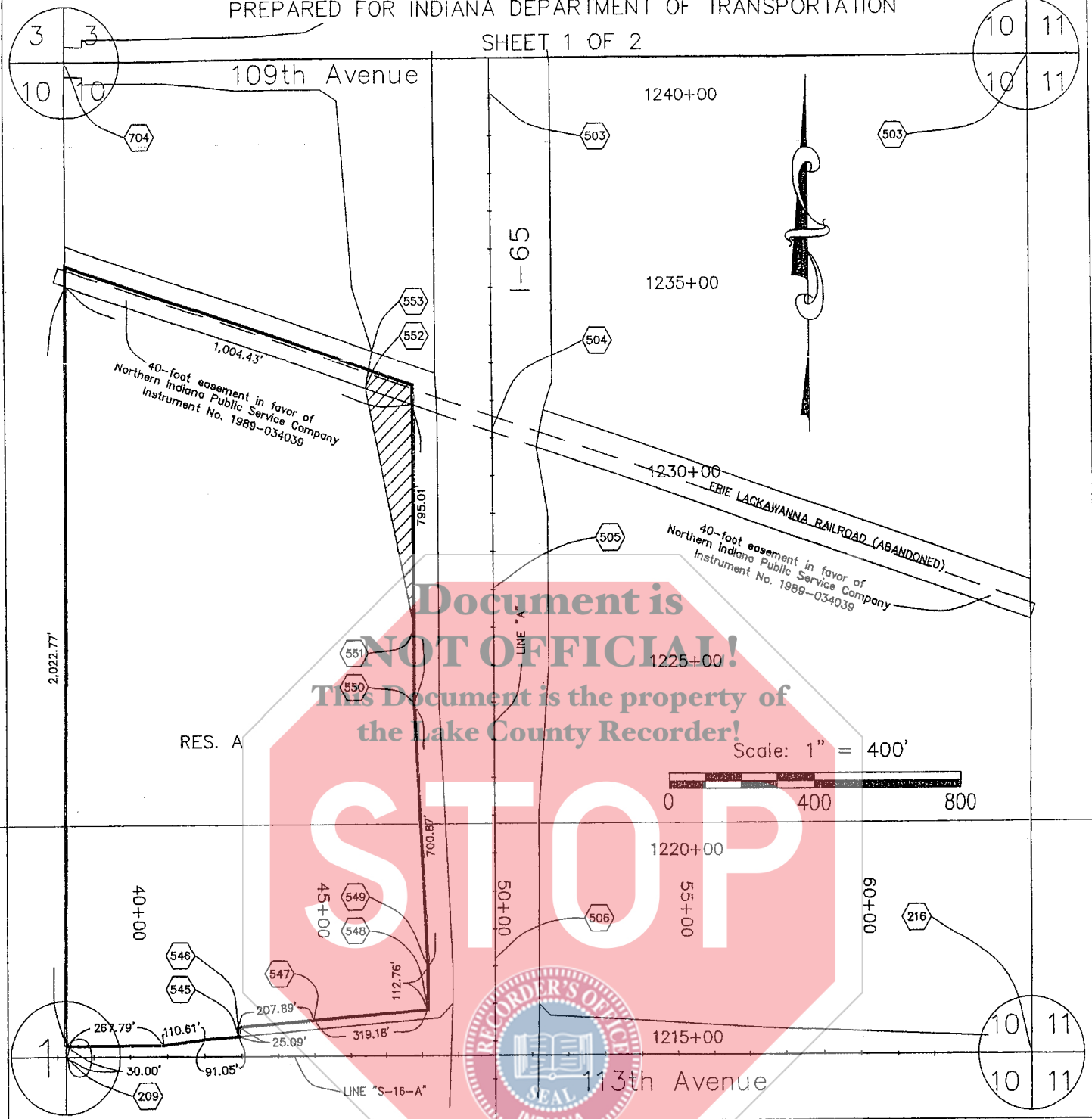
Thomas R. Philpot
CLERK, Lake County Superior Circuit Court

EXHIBIT A

A part of the Northeast Quarter of Section 10, Township 34 North, Range 8 West, Lake County, Indiana, and being part of the grantors' land 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 southwest corner of said quarter section, designated as point "209" on said parcel plat; thence North 0 degrees 15 minutes 13 seconds East 30.00 feet along the west line of said quarter section to the north boundary of 113th Street; thence North 89 degrees 38 minutes 20 seconds East 267.79 feet along the boundary of said 113th Street; thence North 82 degrees 34 minutes 50 seconds East 110.61 feet along said boundary; thence North 85 degrees 12 minutes 07 seconds East 90.96 feet (91.05 feet per Instrument No. 2001-106276) along said boundary to point "545" designated on said parcel plat; "The following six (6) courses are along the southern and eastern lines of Instrument No. 2001-106276" thence North 0 degrees 02 minutes 07 seconds West 24.30 feet (25.09 feet per Instrument No. 2001-106276) to point "546" designated on said parcel plat; thence North 85 degrees 12 minutes 08 seconds East 207.89 feet to point "547" designated on said parcel plat; thence North 85 degrees 07 minutes 42 seconds East 319.18 feet to point "548" designated on said parcel plat; thence North 0 degrees 04 minutes 03 seconds East 112.76 feet to point "549" designated on said parcel plat; thence North 2 degrees 47 minutes 42 seconds West 700.87 feet to point "550" designated on said parcel plat; thence North 0 degrees 04 minutes 03 seconds East 203.62 feet to point "551" designated on said parcel plat and the point of beginning of this description: thence North 11 degrees 39 minutes 07 seconds West 648.69 feet to point "552" designated on said parcel plat, said point being on the southern boundary of the (abandoned) Erie & Lackawanna Railroad (Chicago and Erie Railroad); thence North 11 degrees 35 minutes 44 seconds East 49.88 feet to the centerline of said railroad; thence South 71 degrees 17 minutes 06 seconds East 128.54 feet along said centerline to the east line of said Instrument No. 2001-106276; thence South 0 degrees 04 minutes 03 seconds West 642.95 feet along said east line to the point of beginning and containing 1.045 acres, more or less.

Together with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as 109th Avenue and I-65 and as Project 109th Avenue and I-65 Interchange) to and from the owner's abutting lands, along the lines described as follows: A part of the Northeast Quarter of Section 10, Township 34 North, Range 8 West, Lake County, Indiana, and being part of the grantors' land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit B, described as follows: Beginning at point "548" designated on said parcel plat; thence North 0 degrees 04 minutes 03 seconds East 112.76 feet to point "549" designated on said parcel plat; thence North 2 degrees 47 minutes 42 seconds West 700.87 feet to point "550" designated on said parcel plat; thence North 0 degrees 04 minutes 03 seconds East 203.62 feet to point "551" designated on said parcel plat; thence North 11 degrees 39 minutes 07 seconds West 648.69 feet to point "552" designated on said parcel plat, said point being on the southern boundary of the (abandoned) Erie & Lackawanna Railroad (Chicago and Erie Railroad); thence North 11 degrees 35 minutes 44 seconds East 49.88 feet to the centerline of said railroad and the terminus. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

EXHIBIT B
 RIGHT-OF-WAY PARCEL PLAT
 PREPARED FOR INDIANA DEPARTMENT OF TRANSPORTATION
 SHEET 1 OF 2



 HATCHED AREA IS THE APPROXIMATE TAKING

OWNER	KENDRA, MARK S.	CODE NO.:	5112
PARCEL	1	DRAWN BY:	D.E. LAUER
PROJECT	109TH AVENUE AND I-65 INTERCHANGE	CHECKED BY:	D.L. WITTE
ROAD	I-65 & 109TH AVENUE	INSTRUMENT #2001-106276, DATED 12-27-2001 CAUSE #45C01-0208-PL-00193, FILED 07-30-2003	
COUNTY	LAKE		
SECTION	10		
TOWNSHIP	34 NORTH		
RANGE	8 WEST		

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS

EXHIBIT B
 RIGHT-OF-WAY PARCEL PLAT
 PREPARED FOR INDIANA DEPARTMENT OF TRANSPORTATION
 SHEET 2 OF 2

PARCEL COORDINATE CHART (FEET)					
POINT	C	STATION	OFFSET	NORTH	EAST
204					
209	*	*	*	*	*
216	*	*	*	*	*
704	*	*	*	*	*
503	*	*	*	*	*
504	*	*	*	*	*
505	*	*	*	*	*
506	*	*	*	*	*
545	S-16-A	+PL(42+90.65)	RW(52.55' LT.)	2245583.6875	2886728.4397
546	S-16-A	+PL(42+90.65)	RW(76.86' LT.)	2245607.9897	2886728.4248
547	S-16-A	+PL(44+97.82)	RW(94.12' LT.)	2245625.3773	2886935.5864
548	A	+PL(1215+83.60)	RW(184.27' LT.)	2245652.4832	2887253.6133
549	A	+PL(1216+96.36)	RW(184.20' LT.)	2245765.2431	2887253.7462
550	A	+PL(1223+96.38)	RW(218.76' LT.)	2246465.2794	2887219.5705
551	A	1226+00	RW(218.63' LT.)	2246668.8988	2887219.8106
552	A	+PL(1232+35.25)	350' LT.	2247304.2235	2887088.7968
553	A	+PL(1233+33.00)	330' LT.	2247401.9565	2887108.8508
*	SEE LOCATION CONTROL ROUTE SURVEY PLAT				

Stations & offsets from Location Control Route Survey are to control over North & East Coordinates & over Bearings & Distances. Dimensions shown are from the referenced record documents.

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

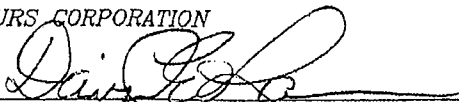
OWNER KENDRA, MARK S.
 PARCEL 1
 PROJECT 109TH AVENUE AND I-65 INTERCHANGE
 ROAD I-65 & 109TH AVENUE
 COUNTY LAKE

SURVEYOR STATEMENT

To the best of my knowledge and belief, this plat, together with the Location Control Route Survey Plat recorded on July 23, 2007 as Instrument No. 2007-059896 in the Office of the Recorder of Lake 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").

Certified this 12th day of December, 2007.

URS CORPORATION



David E. Lauer, LS
 Registered Land Surveyor No. LS29800021
 State of Indiana

