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EDS #A249-16-0N150109

2015 071762

LIMITED WARRANTY DEED

2015 OCT 22 AM 11:11 Project: 0600316  
Code: 6110  
MICHAEL B. LINDSAY Page: 1 of 5  
RECORDER

WHEREAS, pursuant to Ind. Code § 8-23-7-17, the STATE OF INDIANA ("STATE"), through the Indiana Department of Transportation ("INDOT"), may exchange a parcel of property which INDOT determines is not needed for property INDOT wishes to acquire; and

WHEREAS, pursuant to Ind. Code § 8-23-7-18, prior to making an exchange under Ind. Code § 8-23-7-17, INDOT is required to obtain property appraisals on the parcels of real property to be exchanged; and

WHEREAS, the STATE owns certain real estate situated in the County of Lake, State of Indiana; and

WHEREAS, Cabela's Wholesale, Inc. ("CABELA'S"), a Nebraska corporation, as successor by merger to Cabela's Retail, Inc., of Cheyenne County, State of Nebraska, owns certain Real Estate situated in the County of Lake, State of Indiana, and being more particularly described in the legal description 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; and

WHEREAS, the parcels of real property to be exchanged by the STATE and CABELA have been appraised and are of equal value; and

WHEREAS, through the real property exchange, the STATE will be releasing and quit claiming the STATE's interest in its parcel to CABELA'S and CABELA'S will be releasing its interest in an approximately 4.09-acre parcel through a limited warranty deed to the STATE; and

NOW THEREFORE, the Parties hereto agree as follows:

THIS INDENTURE WITNESSETH, that CABELA'S WHOLESALE, INC., a Nebraska corporation, as successor by merger to Cabela's Retail, Inc., the Grantor, of Cheyenne County, State of Nebraska, Conveys and Warrants for that period that the Grantor seized of the herein-described Real Estate, to the STATE OF INDIANA, the Grantee, for and in consideration of the sum of TEN DOLLARS and ZERO CENTS (\$10.00) (of which said sum \$10.00 represents land and improvements and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Lake, State of Indiana, and being more particularly described in the legal description 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.

NON-TAXABLE

NO SALES DISCLOSURE NEEDED

OCT 21 2015 Page 1 of 5

Approved Assessor's Office

CI-9482850 v2

JOHN E. PETALAS  
LAKE COUNTY AUDITOR

By: [Signature] 04943

NC  
LN



2015 OCT 22 AM 11:11  
2015 071762

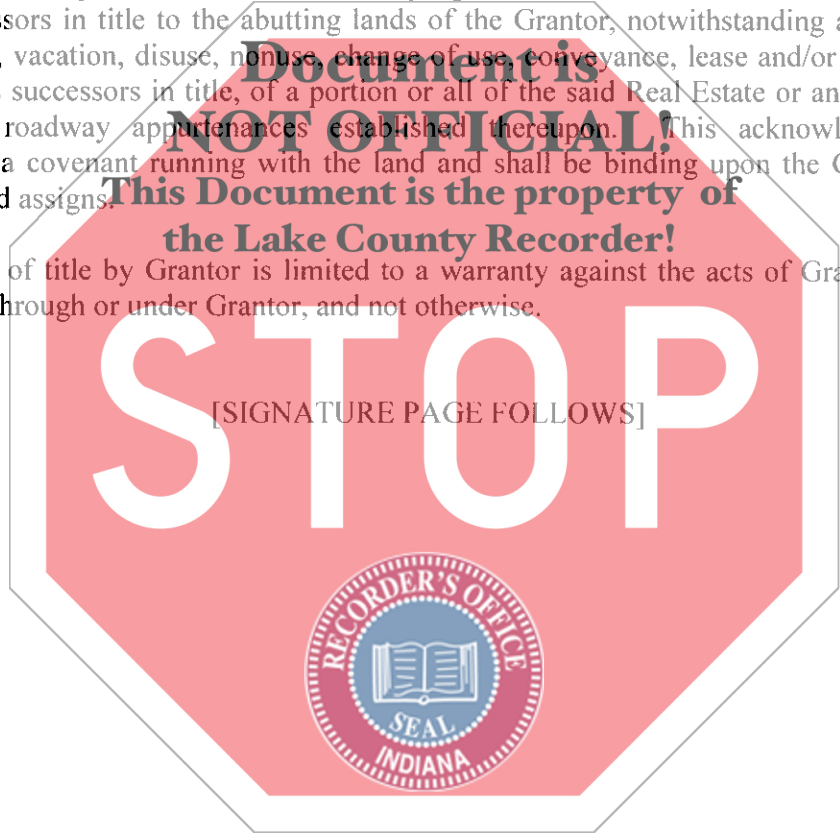
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**TOGETHER** with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as U.S. 41 / Indianapolis Boulevard to and from the Grantor's remaining lands where they abut the Real Estate, except for the right of the public, including the Grantor, to the continued use of Cabela Drive to, from and across the highway facility known as U.S. 41 / Indianapolis Boulevard to and from the Grantor's remaining lands. This restriction is a covenant running with the land and shall be binding on Grantor and all successors in title to the said abutting lands.

This conveyance is subject to the following permitted exceptions: real estate taxes and special assessments not yet due and payable; any and all easements, rights, duties, obligations, covenants, agreements, conditions and restrictions of record; all legal highways and public rights-of-way; all matters that would be disclosed by an accurate survey or inspection of the real estate; and the provisions of all applicable zoning and subdivision laws, ordinances and other applicable governmental regulations.

The Grantor hereby specifically acknowledges and agrees that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor, or any successors in title to the abutting lands of the Grantor, 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 Grantee and all successors and assigns.


The warranty of title by Grantor is limited to a warranty against the acts of Grantor and those claiming by, through or under Grantor, and not otherwise.





Project: 0600316  
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IN WITNESS WHEREOF, Jason S. Wasson has executed the foregoing on behalf of the Indiana Department of Transportation this 1<sup>st</sup> day of September 2015.

  
Jason S. Wasson, Deputy Commissioner of Engineering & Asset Management for  
Brandye L. Hendrickson, Commissioner of the Indiana Department of Transportation

State of Indiana        )  
                                  )ss:  
County of Marion     )

Before me, a Notary in and for said County and State, personally appeared Jason S. Wasson, Deputy Commissioner of Engineering & Asset Management for Brandye L. Hendrickson, Commissioner of the Indiana Department of Transportation, and acknowledged execution of the same on the date aforesaid to be his voluntary act and deed and who, being duly sworn, stated that any representations therein are true, this 1<sup>st</sup> day of September 2015.

Notary signature: Jenny B. Ziemer  
Notary name printed: Jenny B. Ziemer

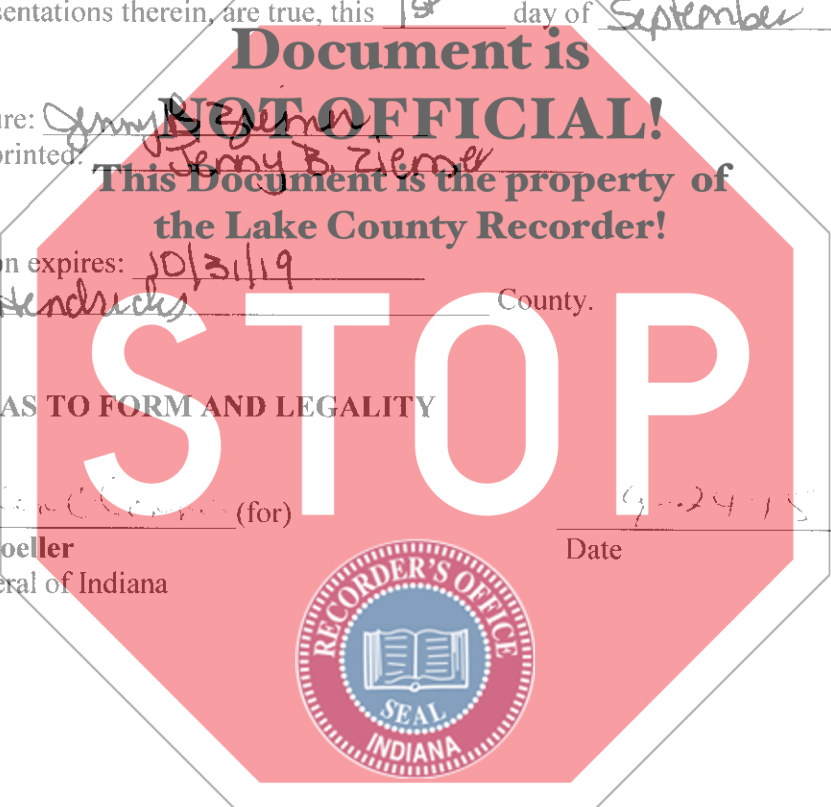
My commission expires: 10/31/19  
I reside in Hendricks County.

APPROVED AS TO FORM AND LEGALITY

Gregory F. Zoeller (for)

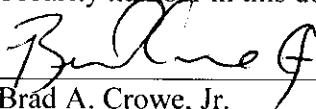
Gregory F. Zoeller  
Attorney General of Indiana

Date 9-24-15

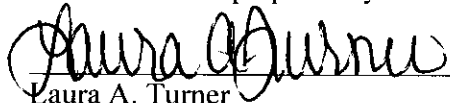


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I affirm under the penalties for perjury that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

  
\_\_\_\_\_  
Brad A. Crowe, Jr.

This instrument prepared by:

  
\_\_\_\_\_  
Laura A. Turner

Attorney #28350-41  
Indiana Department of Transportation  
100 North Senate Ave. N730  
Indianapolis, IN 46204

Grantee's Mailing Address:

INDOT Records Division  
Indiana Department of Transportation  
100 North Senate Avenue - Room N010  
Indianapolis, IN 46204



Interests in land acquired by:  
Indiana Department of Transportation  
100 North Senate Avenue  
Indianapolis, IN 46204-2219


**EXHIBIT "A"**

**LEGAL DESCRIPTION:**

Outlot "B" in Cabela's Gateway Addition to the City of Hammond, Lake County, Indiana, as per plat thereof recorded in Plat Book 101, Page 22 in the Office of the Recorder of Lake County, Indiana. Contains 178,367 square feet, 4.09 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 U.S. 41 and as Project 0600316) to and from the grantor's abutting lands along the 484.19-foot, the 186.86-foot, the 218.22-foot, the 35.00-foot, the 75.00-foot, and the 192.80-foot courses of the following described line: Beginning at the northwest corner of said Outlot "B"; thence South 19 degrees 37 minutes 11 seconds East along a westerly line of said Outlot "B", 484.19 feet; thence continuing along said Outlot "B", South 00 degrees 23 minutes 27 seconds East 186.86 feet; thence continuing along said Outlot "B", South 21 degrees 18 minutes 48 seconds East 218.22 feet; thence continuing along said Outlot "B", South 53 degrees 00 minutes 00 seconds West 35.00 feet; thence continuing along said Outlot "B", South 37 degrees 00 minutes 00 seconds East 160.00 feet; thence continuing along said Outlot "B", North 53 degrees 00 minutes 00 seconds East 75.00 feet; thence continuing along said Outlot "B", North 53 degrees 00 minutes 00 seconds East 80.00 feet; thence continuing along said Outlot "B", North 53 degrees 00 minutes 00 seconds East 192.80 feet to the southeast corner of said Outlot "B" and the point of terminus. This restriction is a covenant running with the land and shall be binding on the grantors and on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation on the 8<sup>th</sup> day of May, 2009.

By   
Jeffrey H. Gustke  
Indiana Professional Land Surveyor  
License Number 29900004



FILE NO



CABELLAS GATEWAY ADDITION  
to the City of Hammond, Lake County, Indiana

101 - 22

1007 010010

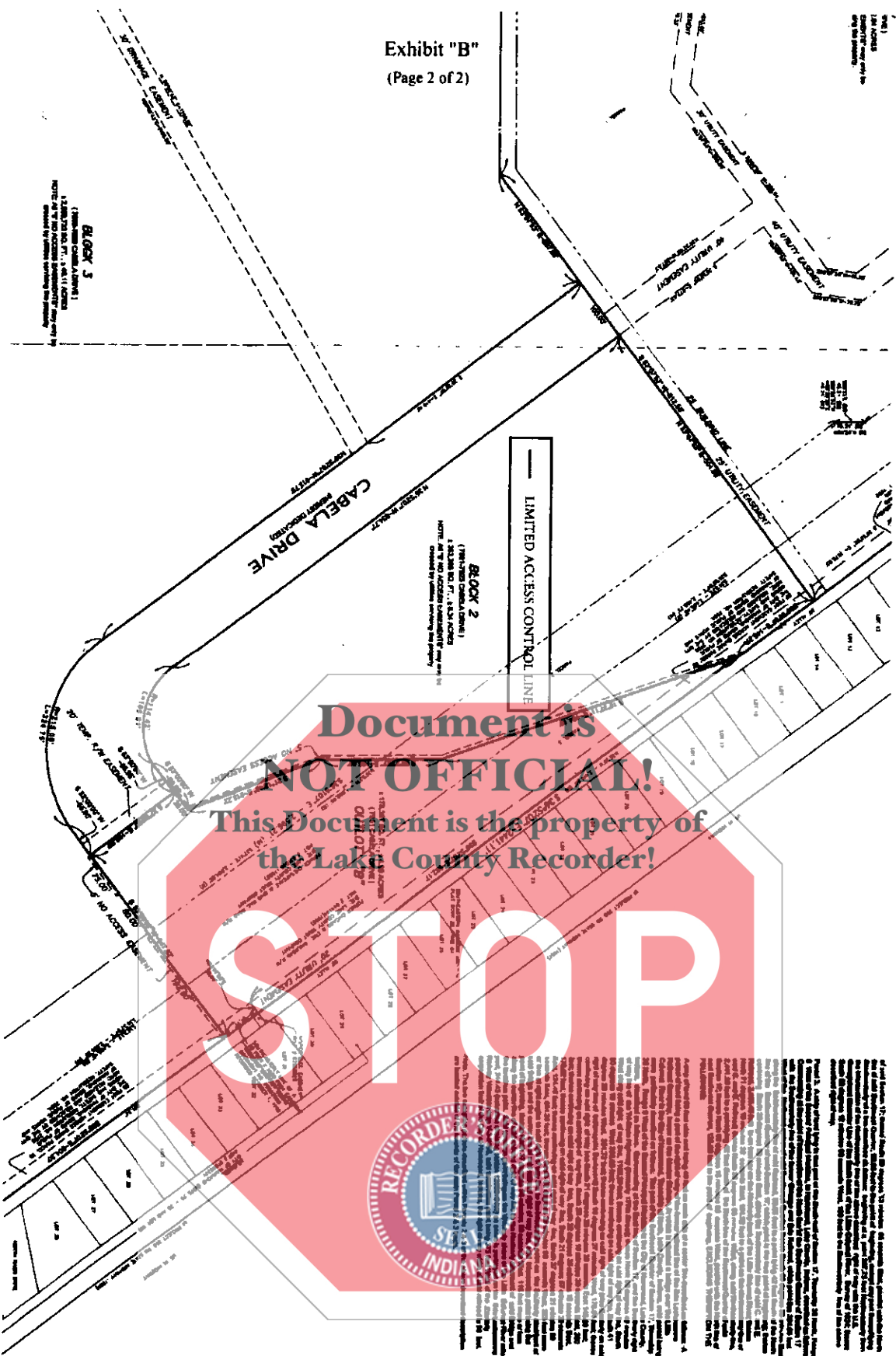


CABELLAS GATEWAY ADDITION  
TO THE  
CITY OF HAMMOND  
LAKE COUNTY, INDIANA

TORRENGA SURVEYING, LLC  
PROFESSIONAL LAND SURVEYORS  
907 RIDGE ROAD, MUNSTER, INDIANA 46321



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I, the undersigned, being the duly qualified and authorized officer of the County of Lake, Indiana, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of Lake, Indiana.

*Heidi Patterson*  
 County of Lake, Indiana

STATE OF INDIANA )  
 COUNTY OF LAKE )

This is to certify that the Board of Public Works has this 2nd day of April, 2011, accepted the plan herein shown.

BOARD OF PUBLIC WORKS AND SAFETY OF  
 COUNTY OF LAKE, INDIANA

*William Stevens*  
 Chairman

*Roberta Anderson*  
 Secretary