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EDS #A249-16-0N150108

2015 071763

QUIT CLAIM DEED WITH PARTIAL LIMITATION OF ACCESS

Project: 0600316  
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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 being more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference; 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

WHEREAS, the parcels of real property to be exchanged by the STATE and CABELA'S 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 the real property legally described in Exhibit "A" to CABELA'S and CABELA'S will be releasing its interest in a 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 the STATE OF INDIANA, the Grantor, Releases and Quit Claims to CABELA'S WHOLESALE, INC., a Nebraska corporation, as successor by merger to Cabela's Retail, Inc., the Grantee, of Cheyenne County, State of Nebraska, 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



NO SALES DISCLOSURE NEEDED

Approved Assessor's Office

By: [Signature]

DULY ENTERED FOR TAXATION SUBJECT  
FINAL ACCEPTANCE FOR TRANSFER

OCT 21 2015

JOHN E. PETALAS  
LAKE COUNTY AUDITOR

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NC  
[Signature]

04944

2015 OCT 22 AM 11:16  
LAKE COUNTY RECORDER

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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 plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

**TOGETHER** with the permanent extinguishment of 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 Real Estate along certain courses thereof, as more particularly set forth in Exhibit "A" and depicted on Exhibit "B". This restriction is a covenant running with the land and shall be binding on the Grantor's successors in title to the said abutting lands.

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.









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IN WITNESS WHEREOF, the undersigned have executed the foregoing Quitclaim Deed 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

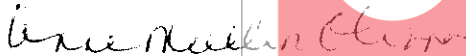
State of Indiana     )  
                                  )ss:  
County of Marion    )

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:   
Notary name printed: Janey B. Zemes **This Document is the property of the Lake County Recorder!**

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

APPROVED AS TO FORM AND LEGALITY

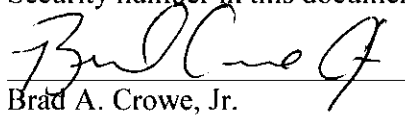
 (for)  
**Gregory F. Zoeller**  
Attorney General of Indiana

9-24-15  
Date

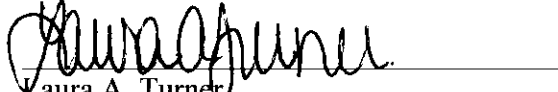


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I affirm under the penalties for perjury that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

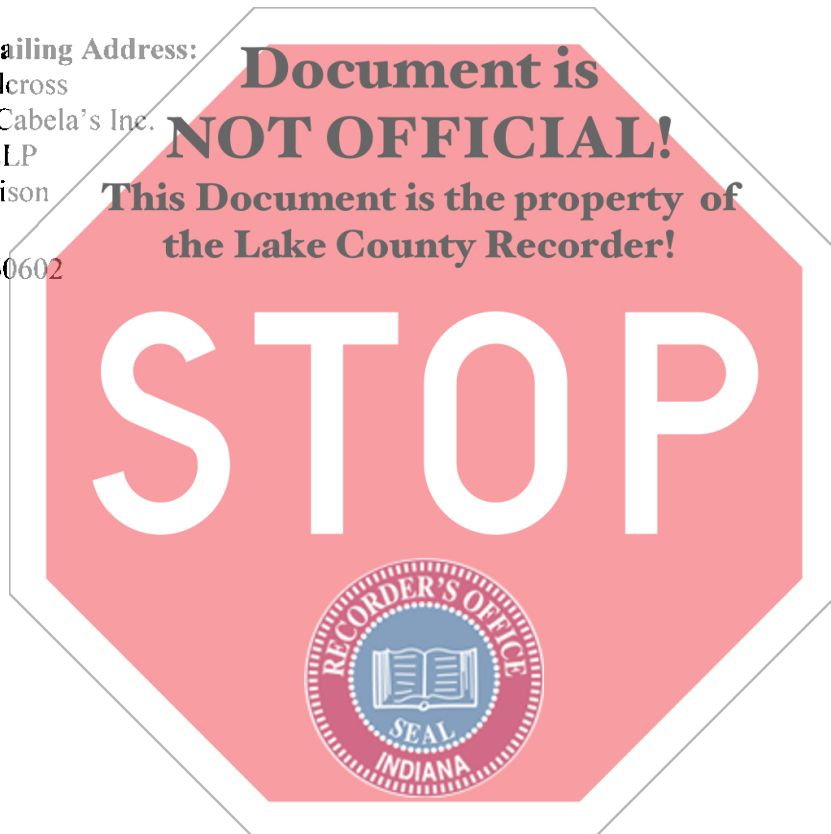
  
Brad A. Crowe, Jr.

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:**

Jesse G. Shallcross  
Attorney for Cabela's Inc.  
K&L Gates LLP  
70 West Madison  
Suite 3100  
Chicago, IL 60602



**EXHIBIT "A"**

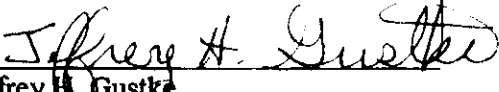
**LEGAL DESCRIPTION:**

Part of Block 90 and Block 89 Lots 32 to 38 in Southeastern Gardens, as recorded in Plat Book 22, Page 61 in the Office of the Recorder of Lake County, Indiana, also that part of vacated River Drive North and the 20 foot alley lying adjacent to said Block 89 and Block 90 in said Southeastern Gardens, said parts being more particularly described as follows: Commencing at the westerly corner of said Lot 32, thence South 36 degrees 52 minutes 07 seconds East along the southwesterly line of said Lot 32 a distance of 16.37 feet to a point on the Indianapolis Boulevard (INDOT) right of way line, said point being the point of beginning; thence North 53 degrees 00 minutes 00 seconds East along said right of way a distance of 52.00 feet; thence South 36 degrees 52 minutes 07 seconds East thru said Lots 32 to 38, and into River Drive North a distance of 674.83 feet to the southerly line of a permanent levee easement described in Document No. 2007071763 in the Office of the Recorder of Lake County, Indiana; thence South 71 degrees 18 minutes 05 seconds West along said southerly line a distance of 23.51 feet; thence South 54 degrees 25 minutes 47 seconds West along said southerly line a distance of 49.68 feet to the northeasterly line of the former Chicago and Erie Railroad right of way; thence North 36 degrees 52 minutes 07 seconds West along said former railroad right of way a distance of 62.00 feet to the eastern most corner of Block 3 in Cabela's Gateway Addition to the City of Hammond, Lake County, Indiana as recorded in Plat Book 101, Page 22 in the Office of the Recorder of Lake County, Indiana; thence North 36 degrees 52 minutes 07 seconds West along the northeastern line of said block a distance of 604.20 feet to the easterly most corner of Outlot "B" in said Cabela's Gateway Addition and the said Indianapolis Boulevard (INDOT) right of way line; thence North 53 degrees 00 minutes 00 seconds East along said right of way a distance of 20.00 feet to the point of beginning, containing 48,108 square feet, 1.104 acres more or less.

Reserving unto the State of Indiana the right to control access along the following boundaries of the 1.104 acre tract described above 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 52.00-foot and 20.00-foot courses described above. Also, commencing at the westerly corner of Lot 32 Block 89 in the Southeastern Gardens, as recorded in Plat Book 22, Page 61 in the Office of the Recorder of Lake County, Indiana; thence South 36 degrees 52 minutes 07 seconds East along the southwesterly line of said Lot 32, 16.37 feet; thence North 53 degrees 00 minutes 00 seconds East 52.00 feet to a point of beginning; thence South 36 degrees 52 minutes 07 seconds East 445.00 feet to a point of terminus. Also, commencing at the westerly corner of said Lot 32 Block 89 in said Southeastern Gardens; thence South 36 degrees 52 minutes 07 seconds East along the southwesterly line of said Lot 32, 16.37 feet; thence North 53 degrees 00 minutes 00

seconds East 52.00 feet; thence South 36 degrees 52 minutes 07 seconds East 495.00 feet to a point of beginning; thence South 36 degrees 52 minutes 07 seconds East 179.83 feet to a 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 1<sup>st</sup> day of June, 2009.

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





