

2019-067857

2019 October 3

9:12:38 AM

**WARRANTY DEED**  
WITH LIMITATION OF ACCESS

Form WL-1  
Revised 07/2014

Project:	1383695
Code:	6344
Parcel:	36
Page:	1 of 3

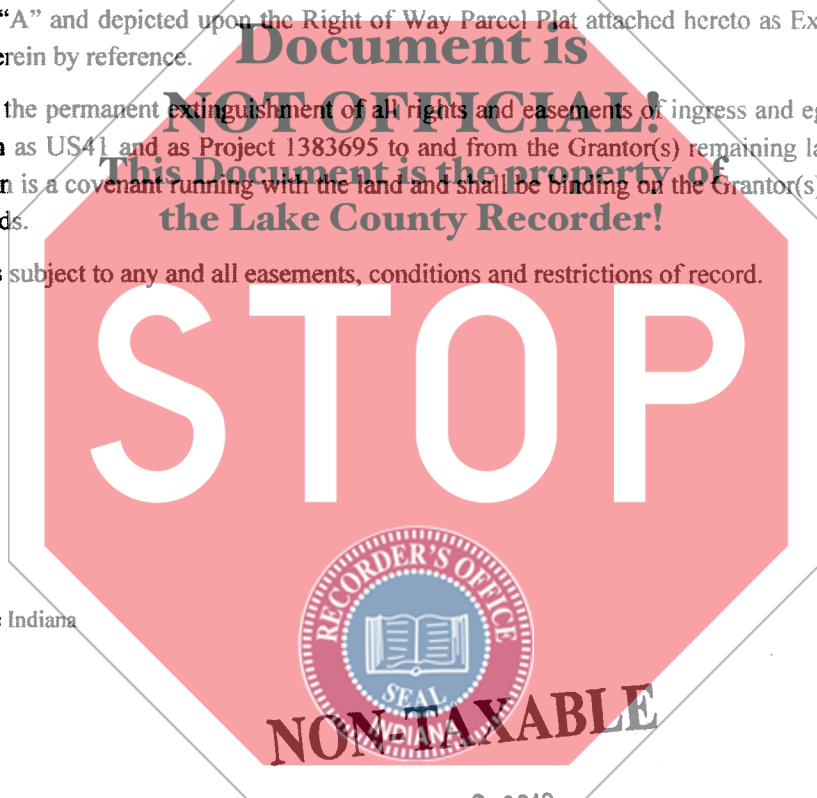
**THIS INDENTURE WITNESSETH**, That Fifth Third Bank, an Ohio banking corporation, the Grantor(s) of Hamilton County, State of Ohio Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Seventy Five Thousand Dollars (\$75,000.00) (of which said sum \$75,000.00 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 Lake, State of Indiana, and which is 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.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as US41 and as Project 1383695 to and from the Grantor(s) remaining lands where they abut the Real Estate. This restriction is a covenant running with the land and shall be binding on the Grantor(s) and on all successors in title to the said abutting lands.

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

Interests in land acquired by the Indiana  
Department of Transportation  
Grantee mailing address:

I.C. 8-23-7-31



JOHN E. PETALAS  
LAKE COUNTY AUDITOR

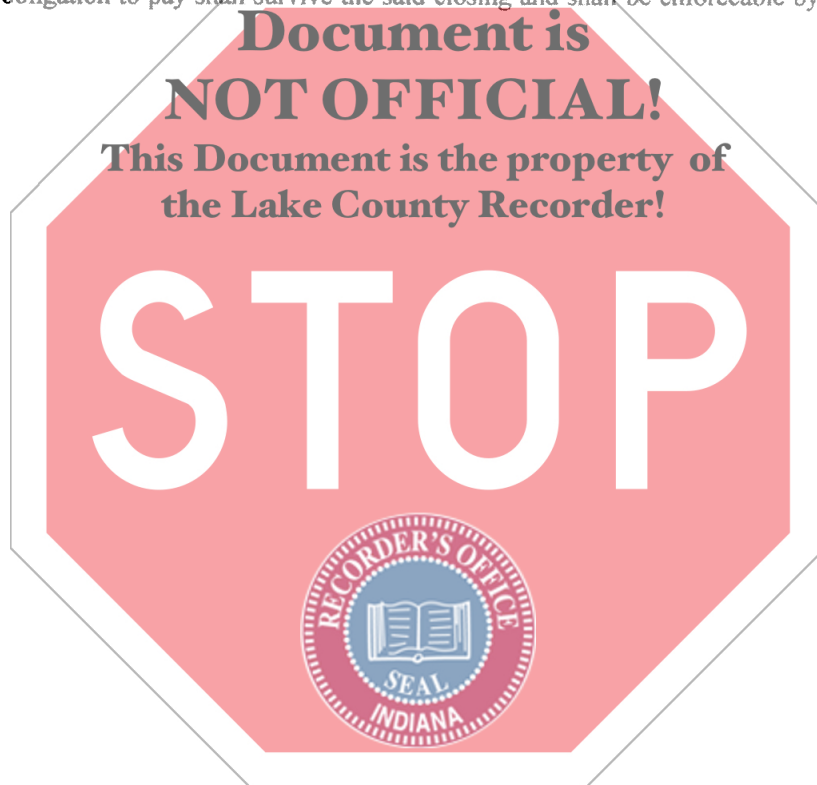
29312 NC  
AS

E

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.

The undersigned represents and warrants that they are a duly elected officer of the Grantor; that the Grantor is a corporation validly existing in the State of its origin and, where required, in the State where the subject real estate is situated; that the Grantor has full corporate capacity to convey the real estate interest described; that pursuant to resolution of the board of directors or shareholders of the Grantor or the by-laws of the Grantor they have full authority to execute and deliver this instrument on its behalf and that said authority has not been revoked; that they are therefore, fully authorized and empowered to convey to the State of Indiana real estate of the Grantor, and that on the date of execution of said conveyance instruments they had full authority to so act; and that all necessary corporate action for the making of this conveyance has been duly taken.

The grantor(s) assume(s) and agree(s) to pay the 2018 payable 2019 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the State in the event of any non-payment.



IN WITNESS WHEREOF, the said Grantor(s) have executed this instrument  
this 15<sup>th</sup> day of August, 2019.

Fifth Third Bank, an Ohio banking corporation

*Lisa Copus* (Seal)  
Signature

Lisa Copus, Assistant Vice President of Fifth Third Bank, an Ohio banking corporation  
Printed Name

*Karen Majors* (Seal)  
Signature

Karen Majors, Vice President of Fifth Third Bank, an Ohio banking corporation  
Printed Name

\_\_\_\_\_  
(Seal)  
Signature

Printed Name

\_\_\_\_\_  
(Seal)  
Signature

Printed Name

STATE OF: Ohio

COUNTY OF: Hamilton

Before me, a Notary Public in and for said State and County, personally appeared Lisa Copus, Assistant Vice President of Fifth Third Bank, and Karen Majors, Vice President of Fifth Third Bank, for Fifth Third Bank, an Ohio banking corporation, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be their voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 15<sup>th</sup> day of August, 2019.

Signature *Laura Kristine Napolitano*

Printed Name Laura Kristine Napolitano

My Commission expires No Expiration Date

I am a resident of Hamilton County



Laura Kristine Napolitano, Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Sec. 147.03 R.C.

**EXHIBIT "A"**

Project: 1383695  
Code: 6344  
Form: WL-1  
Parcel: 36 Fee with Full Limitation of Access  
Tax ID: 45-11-33-303-001.000-035

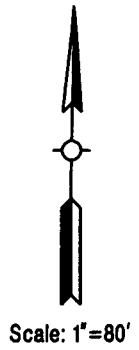
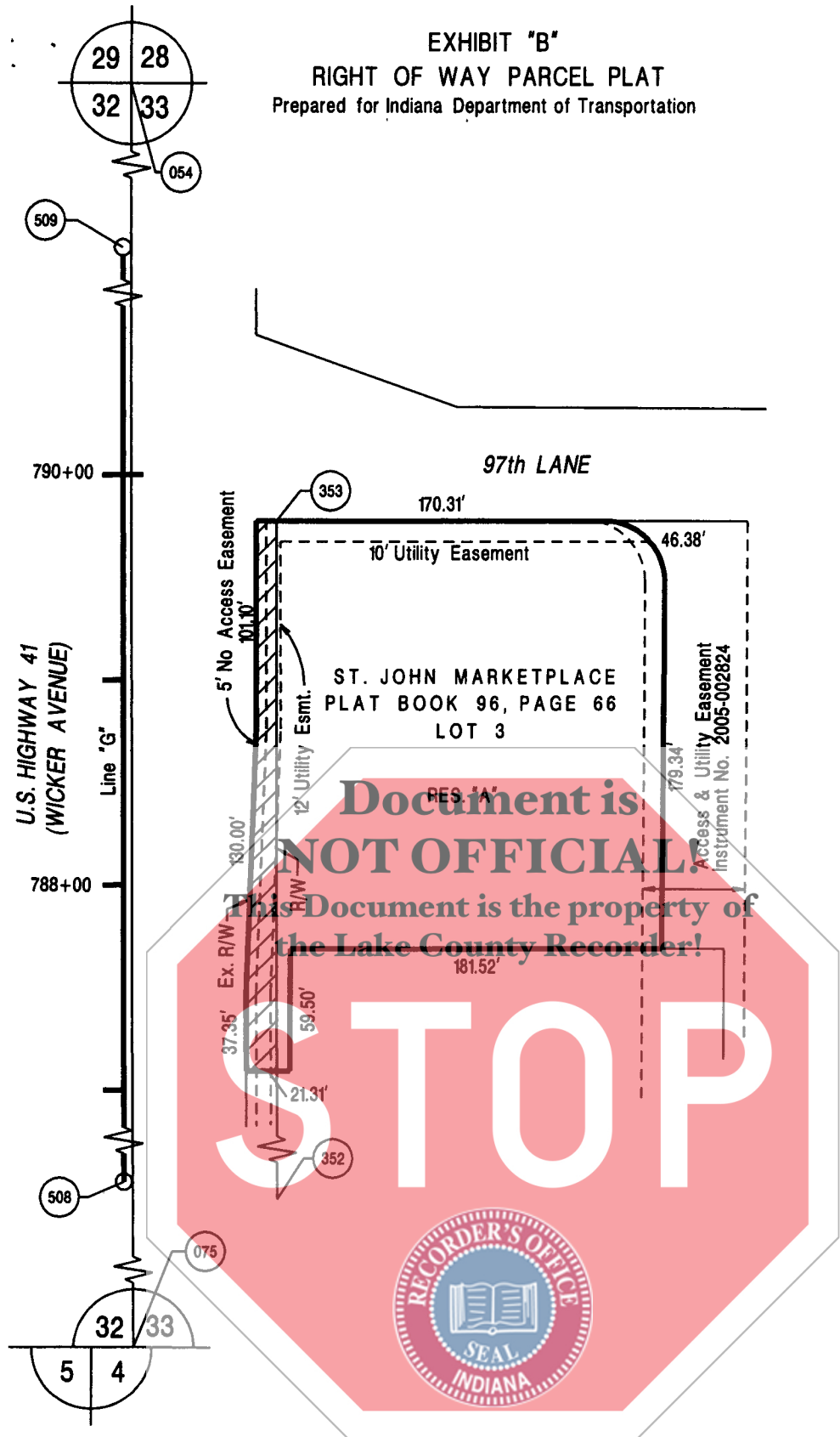
Sheet 1 of 1

A part of Lot 3 in St. John Marketplace, the plat of which is recorded in Plat Book 96, Page 66 in the Office of the Recorder of Lake County, Indiana, and being that part of the grantor's 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 the northwest corner of said Lot 3; thence North 89 degrees 58 minutes 45 seconds East 10.05 feet along the north line of said Lot 3 to point designated "353" on said Parcel Plat; thence South 00 degrees 22 minutes 48 seconds East 268.39 feet to a south line of said Lot; thence South 89 degrees 58 minutes 45 seconds West 15.04 feet along said south line to the southwest corner of said Lot; thence North 00 degrees 22 minutes 58 seconds West 37.35 feet along the west line of said Lot to a corner thereof; thence North 01 degree 49 minutes 17 seconds East 130.00 feet along the west line of said Lot to a corner thereof; thence North 00 degrees 22 minutes 58 seconds West 101.10 feet along the west line of said Lot to the point of beginning and containing 3208 square feet, more or less.


This description was prepared for the Indiana Department of Transportation by Michael L. Bishop, Indiana Registered Land Surveyor, License Number S0511, on 11th day of May, 2018.



EXHIBIT "B"  
RIGHT OF WAY PARCEL PLAT  
Prepared for Indiana Department of Transportation



PARCEL:	36	OWNER:	FIFTH THIRD BANK
CODE:	6344	STATE PARCEL NO.:	45-11-33-303-001.000-035
PROJECT:	1383695	INSTRUMENT No.:	2012-049032
ROAD:	U.S. HIGHWAY 41	DATED:	7/17/2012
COUNTY:	LAKE		
SECTION:	33		
TOWNSHIP:	35-N		
RANGE:	9-W		

 HATCHED AREA IS THE APPROXIMATE TAKING

PARCEL COORDINATE CHART (FEET)

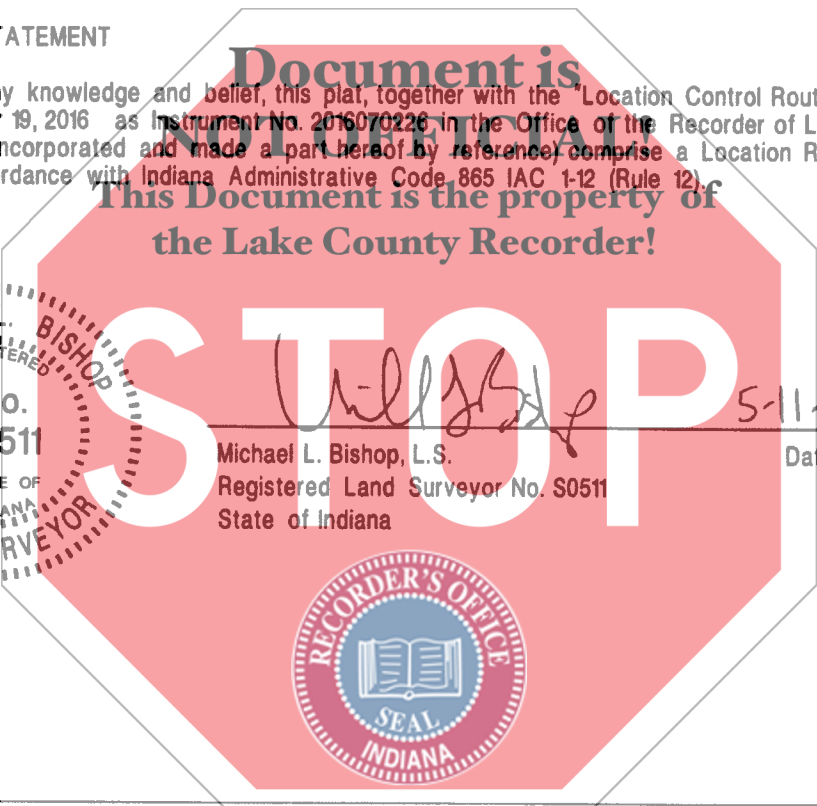
POINT	LINE	STATION	OFFSET	NORTH	EAST
352	G	786+00.00	75.00' Rt.	37070.940	30052.714
353	G	+R (789+77.20)	75.00' Rt.	37448.133	30050.213
054		SEE LOCATION CONTROL ROUTE SURVEY PLAT			
075					
508	G				
509	G				

NOTE: Stations and offsets control over both north and east coordinates and bearings and distances

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded October 19, 2016 as Instrument No. 2016070226 in the Office of the Recorder of Lake County, Indiana (incorporated and made a part hereof by reference) comprise a Location Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12 (Rule 12).


**Document is NOT PUBLIC**  
 This Document is the property of the Lake County Recorder!



*Michael L. Bishop* 5-11-18  
 Date

Michael L. Bishop, L.S.  
 Registered Land Surveyor No. S0511  
 State of Indiana

MICHAEL L. BISHOP  
 REGISTERED  
 No. S0511  
 STATE OF INDIANA  
 LAND SURVEYOR



RECORDER'S OFFICE  
 SEAL  
 INDIANA

PARCEL: 36 CODE: 6344 PROJECT: 1383695 ROAD: U.S. HIGHWAY 41 COUNTY: LAKE SECTION: 33 TOWNSHIP: 35-N RANGE: 9-W	OWNER: FIFTH THIRD BANK STATE PARCEL NO.: 45-11-33-303-001.000-035
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Code: 6344

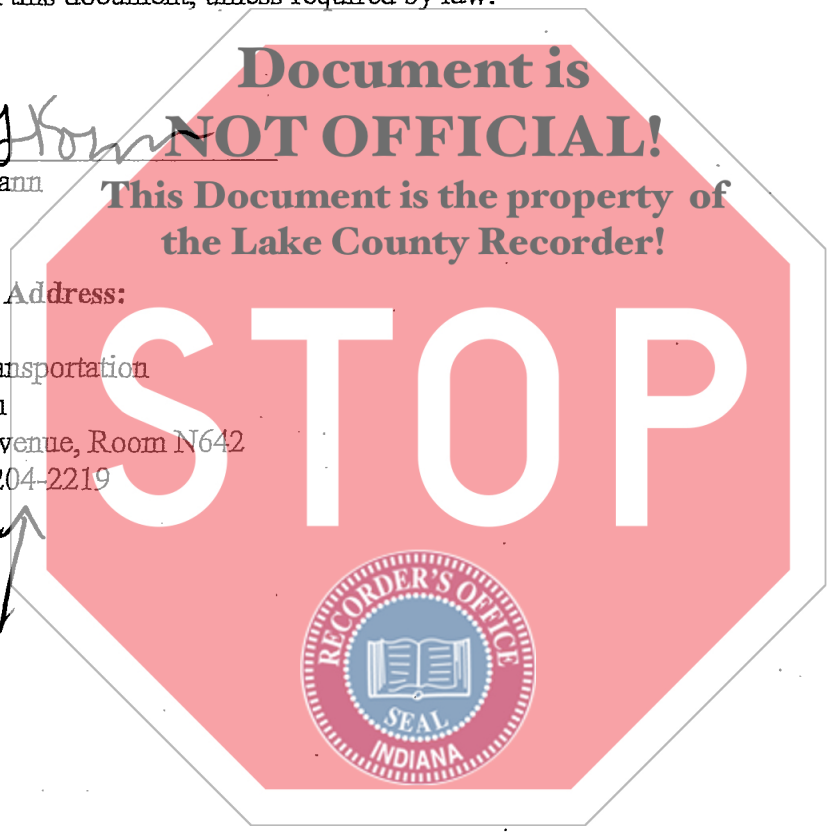
Parcel: 36

This instrument was prepared by:

Michelle L. Kossmann  
Deputy Attorney General  
Attorney No. 22898-49  
Office of the Attorney General  
302 W. Washington Street, 5<sup>th</sup> Floor  
Indianapolis, IN 46204-2770

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.

*Michelle L. Kossmann*  
Michelle L. Kossmann



Grantee's Mailing Address:

Indiana Dept. of Transportation  
Real Estate Division  
100 North Senate Avenue, Room N642  
Indianapolis, IN 46204-2219

I.C. 8-23-7-31

