

3003

9/1/2005

Corporate Warranty Deed/Deed/Partial
Release of Mortgage/Deed of Dedication

18-5083-2944

LOT NO. 10

SUB: Portage Twnsp

Walsh Enterprises, Inc

Eddy Street

Description:

A Parcel of land located in the Southwest Quarter of Section 6,
Twnshp 37 North, Range 3 East of the second principal Meridian in
Portage Twnshp St Joseph County Indiana - Eddy Street
Improvements Project

09/22/2005 12:02:00PM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDERREC FEE: \$16.00
PAGES: 4

0544017

Held
Troyer Group

3003

Project: HES-9971()
Parcel: 10
Road: Eddy, Colfax & LaSalle

PARTIAL RELEASE OF MORTGAGE

This is to certify that a certain mortgage executed by Walsh Enterprises, Inc. (Mortgagor), to National City Bank of Indiana (Mortgagee), dated February 18, 2004 and recorded March 8, 2004 in the sum of \$ 432,600.00 recorded as Document No. 0410443 in the Office of the Recorder of St. Joseph County, Indiana, is hereby released upon the following described real estate in St. Joseph County, Indiana:

See Attached Exhibit "A"

Said Mortgage remains in full force and effect as to the remainder of real estate therein described.

In witness whereof the said National City Bank of Indiana (Mortgagee) has caused this partial release of mortgage to be signed by its Asst. Vice President and its seal attached thereto this 14 day of July, 2005.

National City Bank of Indiana
Mortgagee
By Jill G. Behnke
(Signature)
Jill G. Behnke, Asst. Vice President
(Printed Name and Title)

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jill G. Behnke, known to me to be the Asst. Vice President of the National City Bank of Indiana and acknowledged the execution of the above partial release of mortgage as and for the act and deed of the said National City Bank of Indiana.

Witness my hand and notarial seal this 14th day of July, 2005.

Lisa K. Fleming
Notary Public (Signature)
Lisa K. Fleming
Notary Public (Printed Name)

My commission expires 7/21/11
My county of residence is St. Joseph
This instrument was prepared by Roy A. Buskirk

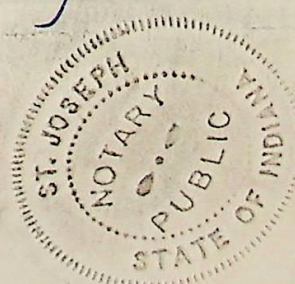


Exhibit "A"

PLAT OF SURVEY
for
WALSH ENTERPRISES, INC.

(10) (10A) (10B)

SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST
PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

HATCH LEGEND



PERMANENT
R/W



TEMPORARY
R/W

APPROXIMATE
WEST LINE OF
SECTION 6
(CREATED FROM
PLATTED
DIMENSIONS)

WEST LINE
LOT A, WALSH
ENTERPRISES
REPLAT

P.O.B. 10B

EDDY STREET/STATE ROAD 23 (60' R/W)

N00°32'03"W (BASIS OF BEARINGS)

123.00' (P/M)

82.25' (C)

P.O.B. 10A

P.O.B. 10

P.O.C. 10A, 10B

SW CORNER LOT A
WALSH ENTERPRISES
REPLAT

N89°34'45"E
5.00' (C)

MADISON STREET (82.5' R/W)
(N89°34'45"E)

PARCEL 10B
0.0092 ACRES±

WALSH ENTERPRISES INC.
DOC.# 8729658

S00°32'36"E
119.74' (C)

PROPOSED
TEMPORARY R/W

EXISTING R/W

PROPOSED R/W

S04°09'21"E
79.16' (C)

PARCEL 10
0.0049 ACRES±

S00°32'03"E
3.26' (C)

S89°34'45"W
44.00' (C)

N89°34'45"E
44.00' (C)

S89°34'45"W
5.00' (C)

MCKINLEY AVENUE (40' R/W)

NORTH LINE
WALSH PARCEL
AND EXISTING
SOUTH R/W OF
MADISON STREET

WALSH ENTERPRISES
REPLAT (DOC.# 9639194)
OF HAPP AND TAGGART'S
SUBDIVISION, A PART OF
A LARGER LOT IN
SOMMER'S ADDITION TO
SOUTH BEND

LOT A

PARCEL 10A
0.0033 ACRES±

N00°32'03"W
3.26' (C)

SOUTH LINE
WALSH PARCEL
AND EXISTING NORTH
R/W MCKINLEY AVENUE

ALLEY (14')

SCALE 1" = 20'

I HEREBY CERTIFY THAT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF
THE WITHIN PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION AND
COMPLETED ON 11-3-04 CLASS C SURVEY PER 865 IAC 25-21.5
SEE SHEET 2 OF 2 FOR SURVEYOR'S REPORT.

VAN H. JANOVIC
L.S. S0411

ROBERT S. ALOI
L.S. 20200024

INVALID UNLESS
EMBOSS SEALED

TERRITORIAL ENGINEERING,
LLC

WALKERTON INDIANA

LEGEND

D.R. = DEED RECORD-BOOK/PAGE
(F) = FOUND
(S) = SET
(R) = RECORDED
(P) = PLATTED
(M) = MEASURED
(C) = CALCULATED
* = DIMENSION NOT TO SCALE
Ø = RAILROAD SPIKE
● = IRON ROD
○ = IRON PIPE

□ = WOOD STAKE
○ = IRON BOLT
EOP = EDGE OF PAVEMENT
R/W = RIGHT OF WAY
OHL = OVERHEAD LINES
▲ = POWER POLE
-X- = EXISTING FENCE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
Δ = MONUMENT
⊗ = NAIL

DATE:

11-22-04

JOB NO.:

04121A

FILE:

SECTION

11/22/2004
SHEET 1 OF 2

SURVEYOR'S REPORT
FOR
WALSH ENTERPRISES (PARCELS 10, ~~10A~~ & ~~10B~~)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AN AREA FOR PERMANENT AND/OR TEMPORARY EASEMENT AS PART OF EDDY, COLFAX, AND LASALLE INTERSECTION IMPROVEMENTS PROJECT No. HES-9971 ON STATE ROAD 23 (EDDY STREET).

THE EAST RIGHT-OF-WAY OF EDDY STREET NORTH OF LASALLE STREET WAS ESTABLISHED FROM EXISTING MONUMENTATION FOUND AT THE CORNERS OF PARCELS DESCRIBED IN DEED DOCUMENT #9608937 AND DEED DOCUMENT #8729658. THIS LINE WAS THEN EXTENDED SOUTH PAST COLFAX AVENUE. ADDITIONAL RIGHT-OF-WAY PARCELS AS DESCRIBED IN DEED DOCUMENT #9750386, DEED RECORD 437, PAGE 188, DEED RECORD 674, PAGE 61, AND DEED RECORD 680, PAGE 216 WERE USED IN ESTABLISHING THE REMAINING EAST RIGHT-OF-WAY OF EDDY STREET, SOUTH OF LASALLE STREET.

THE WEST RIGHT-OF-WAY OF EDDY STREET WAS ESTABLISHED PARALLEL TO THE EAST RIGHT-OF-WAY OF EDDY STREET AT PLATTED DIMENSIONS NORTH OF LASALLE STREET. THIS LINE WAS THEN EXTENDED SOUTH OF COLFAX AVENUE AND WAS IN RELATIVE AGREEMENT WITH MONUMENTS FOUND ON THE EAST LINE OF LOT NO.16 OF THE RECORDED PLAT OF SAMUEL L. COTTRELL'S FIRST ADDITION TO LOWELL (PLAT BOOK T, PAGE 236).

THE SOUTH RIGHT-OF-WAY OF MCKINLEY AVENUE, EAST OF EDDY STREET, WAS ESTABLISHED FROM EXISTING MONUMENTATION FOUND AT THE NORTHWEST CORNER OF A PARCEL OF LAND RECORDED IN DEED DOCUMENT #9608937 AND MONUMENTATION FOUND AT THE NORTHEAST CORNER OF LOT NO.27 AS SHOWN ON THE RECORDED PLAT OF C. HARRY SWANSON'S SUNNYSIDE HEIGHTS ADDITION (PLAT BOOK 17, PAGE 51).

THE NORTH RIGHT-OF-WAY OF MCKINLEY AVENUE, EAST OF EDDY STREET, WAS THEN ESTABLISHED PARALLEL TO THE ESTABLISHED SOUTH RIGHT-OF-WAY AT PLATTED DIMENSIONS AS RECORDED IN C. HARRY SWANSON'S SUNNYSIDE HEIGHTS ADDITION (PLAT BOOK 17, PAGE 51).

THE NORTH LINE OF THE WALSH ENTERPRISES PARCEL WAS ESTABLISHED AT PLATTED DISTANCES FROM THE EXISTING NORTH RIGHT-OF-WAY LINE OF MCKINLEY AVENUE EAST OF EDDY STREET TO THE PLATTED SOUTH RIGHT-OF-WAY OF MADISON STREET.

THE SOUTH LINE OF THE WALSH ENTERPRISES PARCEL WAS ESTABLISHED AS THE EXISTING NORTH RIGHT-OF-WAY OF MCKINLEY AVENUE EAST OF EDDY STREET.

THE PROPOSED RIGHT-OF-WAY LINES WERE ESTABLISHED FROM PRELIMINARY INDIANA DEPARTMENT OF TRANSPORTATION EDDY, COLFAX, AND LASALLE INTERSECTION IMPROVEMENT DRAWINGS (PROJECT No. HES-9971).

THE DEGREE OF UNCERTAINTY IS AS FOLLOWS:

THEORETICAL	-	0.5 (CLASS "C" SURVEY)
TITLE	-	NONE
MONUMENTATION	-	THE WEST LINE OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN WAS NOT DETERMINED FOR THIS SURVEY DUE TO A LACK OF SECTION CORNER INFORMATION. MONUMENTS USED IN ESTABLISHING RIGHT-OF-WAY LOCATIONS VARY FROM PLATTED AND RECORDED DIMENSIONS BY AS MUCH AS 1.8'± NORTH/SOUTH AND 1.3'± EAST/WEST.
POSSESSION	-	NONE

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
NOVEMBER 22, 2004
04-121A
SHEET 2 OF 23

PROPOSED DESCRIPTION
FOR
WALSH ENTERPRISES (PARCEL 10)
PERMANENT RIGHT-OF-WAY

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

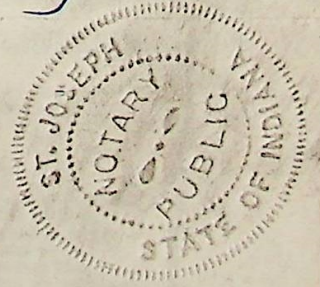
BEGINNING AT THE SOUTHWEST CORNER OF LOT "A", AS SHOWN ON THE RECORDED WALSH ENTERPRISES REPLAT OF HAPP & TAGGART'S SUBDIVISION OF LOTS 37 AND 38 BEING PART OF A LARGER LOT IN SOMMER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA (DOCUMENT #9639194); THENCE NORTH 00°32'03" WEST (BASIS OF BEARINGS) ON THE WEST LINE OF LOT "A" IN THE WALSH REPLAT BEING THE WEST LINE OF A PARCEL OF LAND CONVEYED TO WALSH ENTERPRISES, INC. IN DOCUMENT #8729658 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER, A DISTANCE OF 82.25 FEET; THENCE SOUTH 04°09'21" EAST, A DISTANCE OF 79.16 FEET; THENCE SOUTH 00°32'03" EAST, A DISTANCE OF 3.26 FEET TO THE SOUTH LINE OF THE WALSH ENTERPRISES PARCEL BEING THE NORTH RIGHT-OF-WAY OF MCKINLEY AVENUE EAST OF EDDY STREET; THENCE SOUTH 89°34'45" WEST ON SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0049 ACRES MORE OR LESS.

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
04-121A
NOVEMBER 22, 2004
SHEET ~~1~~ OF ~~1~~
3 3

Notary Public (Printed Name) _____

My commission expires 7/21/11
My county of residence is St. Joseph
This instrument was prepared by Roy A. Buskirk



4

Held
Troger Group

3003

0544018

RECORDED ON

09/22/2005 12:02:01PM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

Project: HES-9971()
Parcel: 10 REC FEE: \$16.00
PAGES: 4
Road: Eddy, Colfax & LaSalle

PARTIAL RELEASE OF MORTGAGE

This is to certify that a certain mortgage executed by Walsh Enterprises, Inc. (Mortgagor), to National City Bank of Indiana (Mortgagee), dated February 18, 2004 and recorded March 8, 2004 in the sum of \$ 161,378.17 recorded as Document No. 0410442 in the Office of the Recorder of St. Joseph County, Indiana, is hereby released upon the following described real estate in St. Joseph County, Indiana:

See Attached Exhibit "A"

Said Mortgage remains in full force and effect as to the remainder of real estate therein described.

In witness whereof the said National City Bank of Indiana (Mortgagee) has caused this partial release of mortgage to be signed by its Asst. Vice President and its seal attached thereto this 14 day of July, 2005.

National City Bank of Indiana
Mortgagee
By [Signature]
(Signature)
Jill G. Behnke, Asst. Vice President
(Printed Name and Title)

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jill G. Behnke, known to me to be the Asst. Vice President of the National City Bank of Indiana and acknowledged the execution of the above partial release of mortgage as and for the act and deed of the said National City Bank of Indiana.

Witness my hand and notarial seal this 14th day of July, 2005.

[Signature]
Notary Public (Signature)
Lisa K. Fleming
Notary Public (Printed Name)

My commission expires 7/21/11
My county of residence is St. Joseph
This instrument was prepared by Roy A. Buskirk



PLAT OF SURVEY
for
WALSH ENTERPRISES, INC.SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST
PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

HATCH LEGEND

PERMANENT
R/WTEMPORARY
R/WAPPROXIMATE
WEST LINE OF
SECTION 6
(CREATED FROM
PLATTED
DIMENSIONS)WEST LINE
LOT A, WALSH
ENTERPRISES
REPLAT

P.O.B. 10B

EDDY STREET/STATE ROAD 23 (60' R/W)

N00°32'03"W (BASIS OF BEARINGS)

123.00' (P/M)

82.25' (C)

40.75' (C)

N89°34'45"E
5.00' (C)

MADISON STREET (82.5' R/W)

(N89°34'45"E)

PARCEL 10B
0.0092 ACRES±WALSH ENTERPRISES INC.
DOC.# 8729658S00°32'36"E
119.74' (C)PROPOSED
TEMPORARY R/W

EXISTING R/W

PROPOSED R/W

S04°09'21"E
79.16' (C)PARCEL 10
0.0049 ACRES±S00°32'03"E
3.26' (C)S89°34'45"W
44.00' (C)

P.O.B. 10A

P.O.B. 10

P.O.C. 10A, 10B

SW CORNER LOT A
WALSH ENTERPRISES
REPLATS89°34'45"W
5.00' (C)

McKINLEY AVENUE (40' R/W)

PARCEL 10A
0.0033 ACRES±N00°32'03"W
3.26' (C)SOUTH LINE
WALSH PARCEL
AND EXISTING NORTH
R/W MCKINLEY AVENUE

LOT A

ALLEY (14')

SCALE 1" = 20'

I HEREBY CERTIFY THAT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF
THE WITHIN PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION AND
COMPLETED ON 11-3-04 CLASS C SURVEY PER 865 IAC 25-21.5
SEE SHEET 2 OF 2 FOR SURVEYOR'S REPORT.VAN H. JANOVIC
L.S. S0411ROBERT S. ALOI
L.S. 20200024INVALID UNLESS
EMBOSS SEALEDTERRITORIAL ENGINEERING,
LLC

WALKERTON INDIANA

LEGEND

D.R. = DEED RECORD-BOOK/PAGE	□ = WOOD STAKE
(F) = FOUND	○ = IRON BOLT
(S) = SET	EOP = EDGE OF PAVEMENT
(R) = RECORDED	R/W = RIGHT OF WAY
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● = RAILROAD SPIKE	P.O.C. = POINT OF COMMENCING
○ = IRON ROD	△ = MONUMENT
○ = IRON PIPE	⊗ = NAIL

DATE:

11-22-04

JOB NO.:

04121A

FILE:

SECTION

11/22/ 2004
SHEET 1 OF 2

SURVEYOR'S REPORT
FOR
WALSH ENTERPRISES (PARCELS 10, ~~10A~~ & ~~10B~~)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AN AREA FOR PERMANENT AND/OR TEMPORARY EASEMENT AS PART OF EDDY, COLFAX, AND LASALLE INTERSECTION IMPROVEMENTS PROJECT No. HES-9971 ON STATE ROAD 23 (EDDY STREET).

THE EAST RIGHT-OF-WAY OF EDDY STREET NORTH OF LASALLE STREET WAS ESTABLISHED FROM EXISTING MONUMENTATION FOUND AT THE CORNERS OF PARCELS DESCRIBED IN DEED DOCUMENT #9608937 AND DEED DOCUMENT #8729658. THIS LINE WAS THEN EXTENDED SOUTH PAST COLFAX AVENUE. ADDITIONAL RIGHT-OF-WAY PARCELS AS DESCRIBED IN DEED DOCUMENT #9750386, DEED RECORD 437, PAGE 188, DEED RECORD 674, PAGE 61, AND DEED RECORD 680, PAGE 216 WERE USED IN ESTABLISHING THE REMAINING EAST RIGHT-OF-WAY OF EDDY STREET, SOUTH OF LASALLE STREET.

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THE SOUTH LINE OF THE WALSH ENTERPRISES PARCEL WAS ESTABLISHED AS THE EXISTING NORTH RIGHT-OF-WAY OF MCKINLEY AVENUE EAST OF EDDY STREET.

THE PROPOSED RIGHT-OF-WAY LINES WERE ESTABLISHED FROM PRELIMINARY INDIANA DEPARTMENT OF TRANSPORTATION EDDY, COLFAX, AND LASALLE INTERSECTION IMPROVEMENT DRAWINGS (PROJECT No. HES-9971).

THE DEGREE OF UNCERTAINTY IS AS FOLLOWS:

THEORETICAL	-	0.5 (CLASS "C" SURVEY)
TITLE	-	NONE
MONUMENTATION	-	THE WEST LINE OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN WAS NOT DETERMINED FOR THIS SURVEY DUE TO A LACK OF SECTION CORNER INFORMATION. MONUMENTS USED IN ESTABLISHING RIGHT-OF-WAY LOCATIONS VARY FROM PLATTED AND RECORDED DIMENSIONS BY AS MUCH AS 1.8'± NORTH/SOUTH AND 1.3'± EAST/WEST.
POSSESSION	-	NONE

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
NOVEMBER 22, 2004
04-121A
SHEET 2 OF 23

PROPOSED DESCRIPTION
FOR
WALSH ENTERPRISES (PARCEL 10)
PERMANENT RIGHT-OF-WAY

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT "A", AS SHOWN ON THE RECORDED WALSH ENTERPRISES REPLAT OF HAPP & TAGGART'S SUBDIVISION OF LOTS 37 AND 38 BEING PART OF A LARGER LOT IN SOMMER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA (DOCUMENT #9639194); THENCE NORTH 00°32'03" WEST (BASIS OF BEARINGS) ON THE WEST LINE OF LOT "A" IN THE WALSH REPLAT BEING THE WEST LINE OF A PARCEL OF LAND CONVEYED TO WALSH ENTERPRISES, INC. IN DOCUMENT #8729658 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER, A DISTANCE OF 82.25 FEET; THENCE SOUTH 04°09'21" EAST, A DISTANCE OF 79.16 FEET; THENCE SOUTH 00°32'03" EAST, A DISTANCE OF 3.26 FEET TO THE SOUTH LINE OF THE WALSH ENTERPRISES PARCEL BEING THE NORTH RIGHT-OF-WAY OF MCKINLEY AVENUE EAST OF EDDY STREET; THENCE SOUTH 89°34'45" WEST ON SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0049 ACRES MORE OR LESS.

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
04-121A
NOVEMBER 22, 2004
SHEET 1 OF 1
3 3

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

REC FEE: \$21.00
PAGES: 6

PROJECT: HES-9971()
PARCEL: 10A & 10B

TEMPORARY EASEMENT AGREEMENT

THIS INDENTURE WITNESSETH, THAT Walsh Enterprises, Inc., an Indiana corporation
of St. Joseph County, in the State of Indiana,

CONVEY(S) A TEMPORARY EASEMENT TO THE CITY OF SOUTH BEND, STATE OF INDIANA

for and in consideration of one dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the following described real estate in St. Joseph County, Indiana, to-wit:

Exhibit "A" attached hereto and made a part hereof

The undersigned grantor(s), being duly sworn, say(s) that he (she, they) is (are) the sole owner(s) of the above-described property, and said grantor(s) further represent(s) that there are no leases or options of any kind or character on said lands as conveyed.

The above-described right of way is temporary right of way for the purposes of constructing a driveway for service to the grantor's(s') private property and/or lawn grading and will revert to the grantor(s) upon the completion of said project. It is further understood and agreed that this conveyance transfers only the right to make or construct said driveway and/or lawn grading on said lands and to use any material lying within the above-described limits suitable for use in construction of said driveway and/or lawn grading and does not convey any rights to any minerals or other substances underneath the surface, except as it may be used for the construction of said improvements. Trees or any other land improvements may be cut or removed from said granted temporary easement by the City of South Bend, through its authorized representatives during said construction.

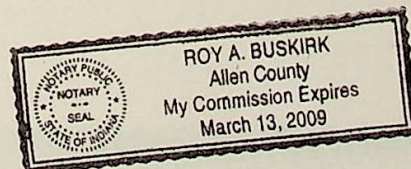
The undersigned person executing this agreement represents and certifies on behalf of the Grantor, that the undersigned is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the by-laws of the Grantor, to execute and deliver this agreement; that the Grantor is a corporation in good standing in the State of its origin and, where required, in the State where the subject real estate is situate; that the Grantor has full corporate capacity to convey the real estate described; and that all necessary corporate action for the making of this conveyance has been duly taken.

Dated this 7th day of July, 2005.

Walsh Enterprises, Inc., an Indiana corporation

By [Signature]
(Signature)

Robert E. Walsh, President
(Printed Name and Title)



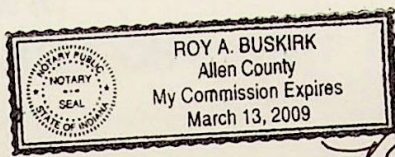
WALSH ENTERPRISES, INC.

SECTION 8, TOWNSHIP 37 NORTH, RANGE 3 EAST
PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

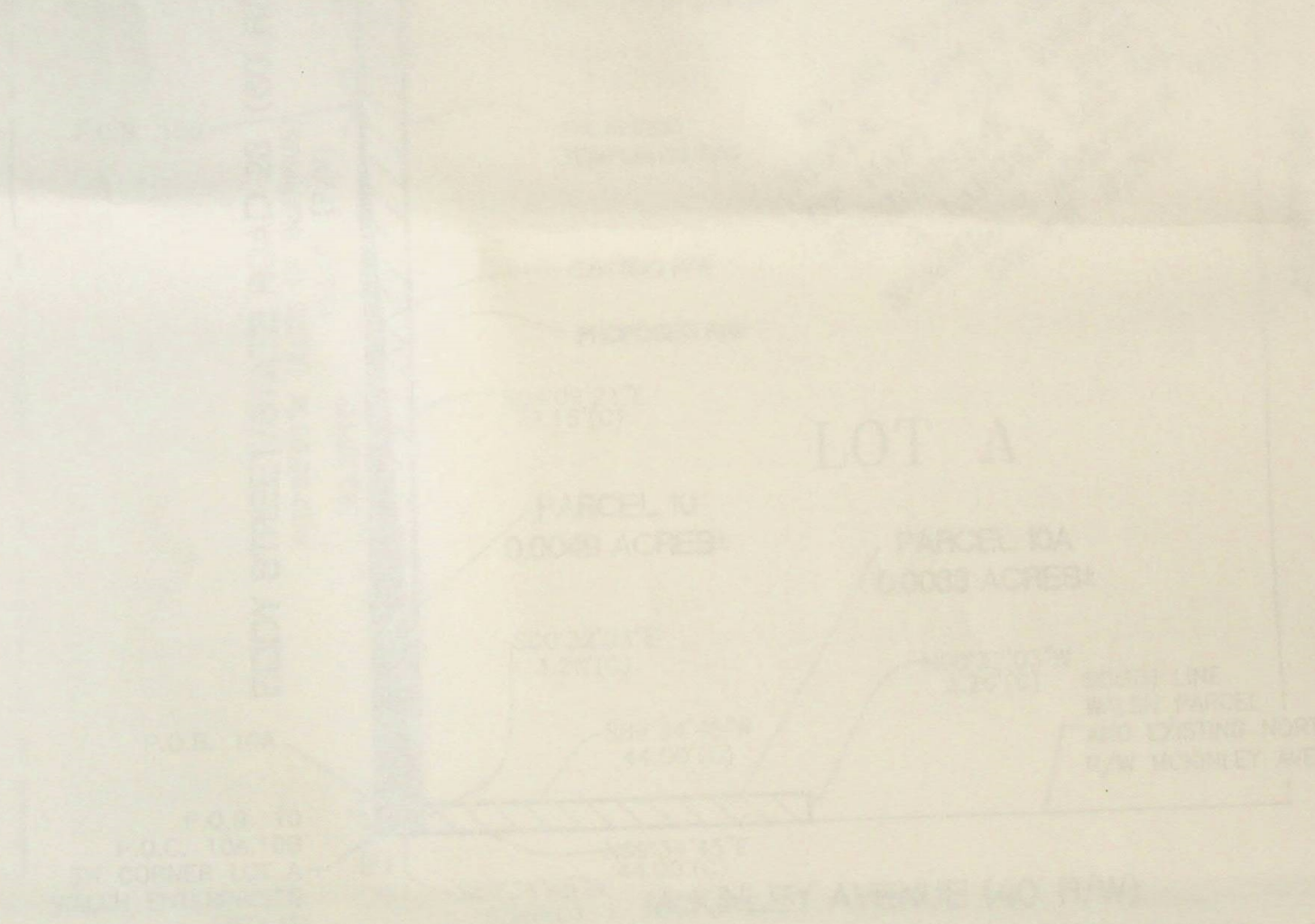
Before me, the undersigned, a Notary Public in and for said County and State, this 7th day of July, 2005, personally appeared Robert E. Walsh, President of Walsh Enterprises, Inc., an Indiana corporation, and acknowledged the execution of the foregoing instrument.
Witness my hand and notarial seal.

My Commission Expires:

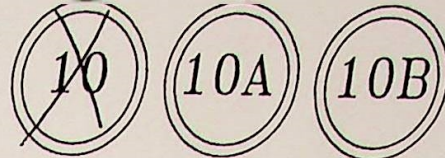


Roy A Buskirk
Notary Public
County of Residence _____

This instrument prepared by: John R. Livingston, Assistant City Attorney



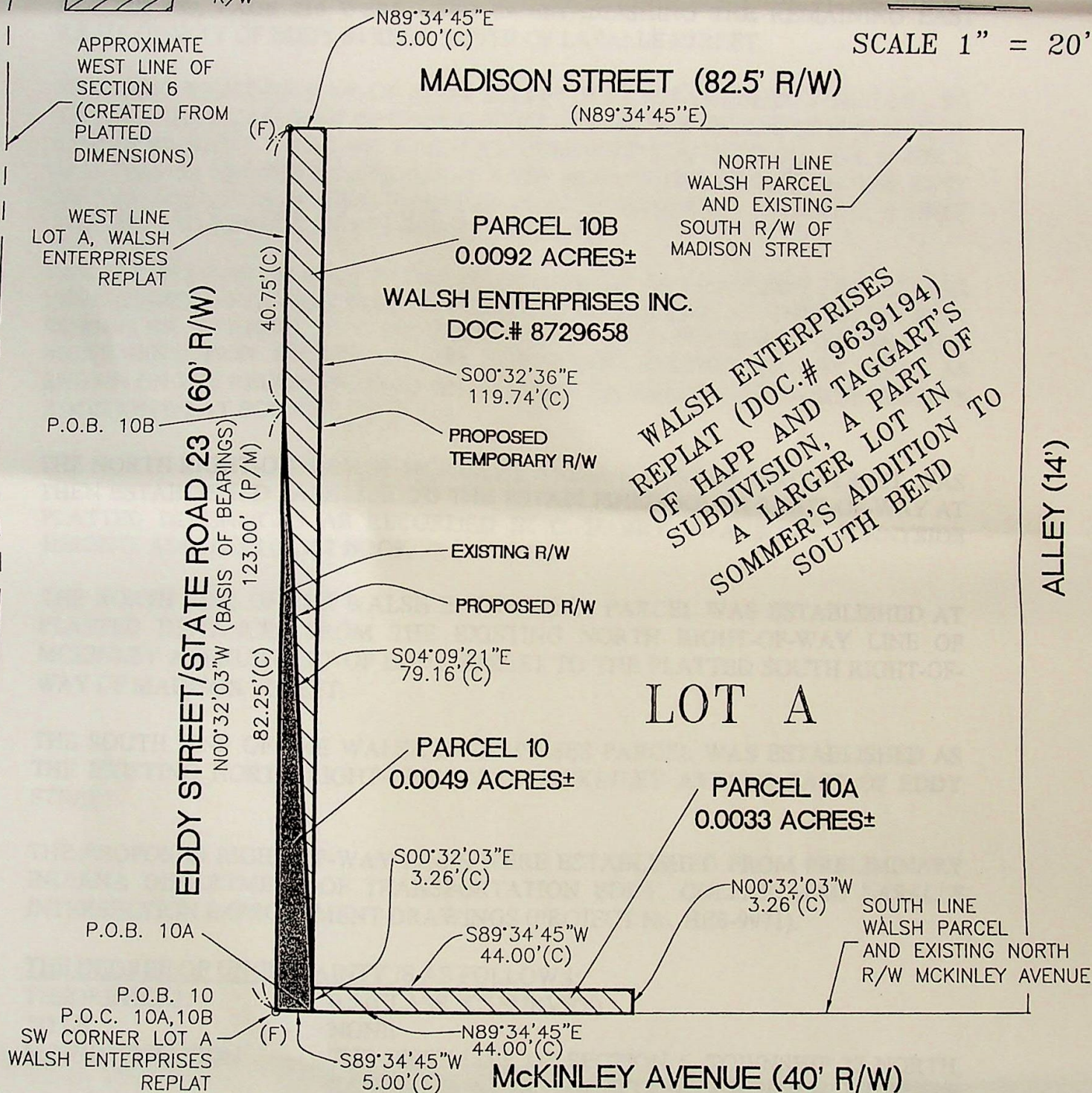
Handwritten signatures and stamps at the bottom of the page, including what appears to be a signature of John R. Livingston and some official stamps.

PLAT OF SURVEY
for
WALSH ENTERPRISES, INC.SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST
PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

HATCH LEGEND

PERMANENT
R/WTEMPORARY
R/W

SCALE 1" = 20'



I HEREBY CERTIFY THAT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF THE WITHIN PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION AND COMPLETED ON 11-3-04 CLASS C SURVEY PER 865 IAC 25-21.5 SEE SHEET 2 OF 2 FOR SURVEYOR'S REPORT.

VAN H. JANOVIC
L.S. S0411

ROBERT S. ALOI
L.S. 20200024

INVALID UNLESS
EMBOSS SEALED

TERRITORIAL ENGINEERING,
LLC

WALKERTON INDIANA

LEGEND

D.R. = DEED RECORD-BOOK/PAGE	□ = WOOD STAKE
(F) = FOUND	○ = IRON BOLT
(S) = SET	EOP = EDGE OF PAVEMENT
(R) = RECORDED	R/W = RIGHT OF WAY
(P) = PLATTED	OHL = OVERHEAD LINES
(M) = MEASURED	▲ = POWER POLE
(C) = CALCULATED	-X-X- = EXISTING FENCE
* = DIMENSION NOT TO SCALE	P.O.B. = POINT OF BEGINNING
⊗ = RAILROAD SPIKE	P.O.C. = POINT OF COMMENCING
● = IRON ROD	△ = MONUMENT
○ = IRON PIPE	⊠ = NAIL

DATE:

11-22-04

JOB NO.:

04121A

FILE:

SECTION

11/22/2004
SHEET 1 OF 2

SURVEYOR'S REPORT
FOR
WALSH ENTERPRISES (PARCELS ~~X~~ 10A & 10B)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AN AREA FOR PERMANENT AND/OR TEMPORARY EASEMENT AS PART OF EDDY, COLFAX, AND LASALLE INTERSECTION IMPROVEMENTS PROJECT No. HES-9971 ON STATE ROAD 23 (EDDY STREET).

THE EAST RIGHT-OF-WAY OF EDDY STREET NORTH OF LASALLE STREET WAS ESTABLISHED FROM EXISTING MONUMENTATION FOUND AT THE CORNERS OF PARCELS DESCRIBED IN DEED DOCUMENT #9608937 AND DEED DOCUMENT #8729658. THIS LINE WAS THEN EXTENDED SOUTH PAST COLFAX AVENUE. ADDITIONAL RIGHT-OF-WAY PARCELS AS DESCRIBED IN DEED DOCUMENT #9750386, DEED RECORD 437, PAGE 188, DEED RECORD 674, PAGE 61, AND DEED RECORD 680, PAGE 216 WERE USED IN ESTABLISHING THE REMAINING EAST RIGHT-OF-WAY OF EDDY STREET, SOUTH OF LASALLE STREET.

THE WEST RIGHT-OF-WAY OF EDDY STREET WAS ESTABLISHED PARALLEL TO THE EAST RIGHT-OF-WAY OF EDDY STREET AT PLATTED DIMENSIONS NORTH OF LASALLE STREET. THIS LINE WAS THEN EXTENDED SOUTH OF COLFAX AVENUE AND WAS IN RELATIVE AGREEMENT WITH MONUMENTS FOUND ON THE EAST LINE OF LOT NO.16 OF THE RECORDED PLAT OF SAMUEL L. COTTRELL'S FIRST ADDITION TO LOWELL (PLAT BOOK T, PAGE 236).

THE SOUTH RIGHT-OF-WAY OF MCKINLEY AVENUE, EAST OF EDDY STREET, WAS ESTABLISHED FROM EXISTING MONUMENTATION FOUND AT THE NORTHWEST CORNER OF A PARCEL OF LAND RECORDED IN DEED DOCUMENT #9608937 AND MONUMENTATION FOUND AT THE NORTHEAST CORNER OF LOT NO.27 AS SHOWN ON THE RECORDED PLAT OF C. HARRY SWANSON'S SUNNYSIDE HEIGHTS ADDITION (PLAT BOOK 17, PAGE 51).

THE NORTH RIGHT-OF-WAY OF MCKINLEY AVENUE, EAST OF EDDY STREET, WAS THEN ESTABLISHED PARALLEL TO THE ESTABLISHED SOUTH RIGHT-OF-WAY AT PLATTED DIMENSIONS AS RECORDED IN C. HARRY SWANSON'S SUNNYSIDE HEIGHTS ADDITION (PLAT BOOK 17, PAGE 51).

THE NORTH LINE OF THE WALSH ENTERPRISES PARCEL WAS ESTABLISHED AT PLATTED DISTANCES FROM THE EXISTING NORTH RIGHT-OF-WAY LINE OF MCKINLEY AVENUE EAST OF EDDY STREET TO THE PLATTED SOUTH RIGHT-OF-WAY OF MADISON STREET.

THE SOUTH LINE OF THE WALSH ENTERPRISES PARCEL WAS ESTABLISHED AS THE EXISTING NORTH RIGHT-OF-WAY OF MCKINLEY AVENUE EAST OF EDDY STREET.

THE PROPOSED RIGHT-OF-WAY LINES WERE ESTABLISHED FROM PRELIMINARY INDIANA DEPARTMENT OF TRANSPORTATION EDDY, COLFAX, AND LASALLE INTERSECTION IMPROVEMENT DRAWINGS (PROJECT No. HES-9971).

THE DEGREE OF UNCERTAINTY IS AS FOLLOWS:

THEORETICAL	-	0.5 (CLASS "C" SURVEY)
TITLE	-	NONE
MONUMENTATION	-	THE WEST LINE OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN WAS NOT DETERMINED FOR THIS SURVEY DUE TO A LACK OF SECTION CORNER INFORMATION. MONUMENTS USED IN ESTABLISHING RIGHT-OF-WAY LOCATIONS VARY FROM PLATTED AND RECORDED DIMENSIONS BY AS MUCH AS 1.8'± NORTH/SOUTH AND 1.3'± EAST/WEST.
POSSESSION	-	NONE

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
NOVEMBER 22, 2004
04-121A
SHEET 2 OF 24

PROPOSED DESCRIPTION
FOR
WALSH ENTERPRISES (PARCEL 10A)
TEMPORARY RIGHT-OF-WAY

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT "A", AS SHOWN ON THE RECORDED WALSH ENTERPRISES REPLAT OF HAPP & TAGGART'S SUBDIVISION OF LOTS 37 AND 38 BEING PART OF A LARGER LOT IN SOMMER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA (DOCUMENT #9639194); THENCE NORTH 89°34'45" EAST ON THE SOUTH LINE OF LOT "A" IN THE WALSH REPLAT BEING THE SOUTH LINE OF A PARCEL OF LAND CONVEYED TO WALSH ENTERPRISES, INC. IN DOCUMENT #8729658 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°34'45" EAST ON THE SOUTH LINE, A DISTANCE OF 44.00 FEET; THENCE NORTH 00°32'03" WEST, A DISTANCE OF 3.26 FEET; THENCE SOUTH 89°34'45" WEST, A DISTANCE OF 44.00 FEET; THENCE SOUTH 00°32'03" EAST, A DISTANCE OF 3.26 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0033 ACRES MORE OR LESS.

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA

04-121A

NOVEMBER 22, 2004

SHEET ~~1~~ OF ~~1~~
3 4

PROPOSED DESCRIPTION
FOR
WALSH ENTERPRISES (PARCEL 10B)
TEMPORARY RIGHT-OF-WAY

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT "A", AS SHOWN ON THE RECORDED WALSH ENTERPRISES REPLAT OF HAPP & TAGGART'S SUBDIVISION OF LOTS 37 AND 38 BEING PART OF A LARGER LOT IN SOMMER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA (DOCUMENT# 9639194); THENCE NORTH 00°32'03" WEST (BASIS OF BEARINGS) ON THE WEST LINE OF LOT "A" IN THE WALSH REPLAT BEING THE WEST LINE OF A PARCEL OF LAND CONVEYED TO WALSH ENTERPRISES, INC. IN DOCUMENT #8729658 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER, A DISTANCE OF 82.25 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°32'03" WEST, A DISTANCE OF 40.75 FEET TO THE NORTHWEST CORNER OF THE WALSH ENTERPRISES PARCEL; THENCE NORTH 89°34'45" EAST ON THE NORTH LINE OF THE WALSH ENTERPRISES PARCEL, A DISTANCE OF 5.00 FEET; THENCE SOUTH 00°32'36" EAST, A DISTANCE OF 119.74 FEET; THENCE NORTH 04°09'21" WEST, A DISTANCE OF 79.16 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0092 ACRES MORE OR LESS.

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
04-121A
NOVEMBER 22, 2004
SHEET ~~1~~ OF ~~1~~
4 4

5. Hold Trayer
Transfer 8117
Taxing Unit So Bend
Date 9-1-2005
18.5083.2944

3003

0540308
RECORDED ON
09/01/2005 09:59:28AM
TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER
REC FEE: \$22.00
PAGES: 5

PROJECT: HES-9971()
PARCEL: 10

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Walsh Enterprises, Inc., an Indiana corporation
of St. Joseph County, in the State of Indiana,

CONVEY(S) AND WARRANT(S) TO THE CITY OF SOUTH BEND, STATE OF INDIANA
for and in consideration of one dollar (\$1.00) and other good and valuable consideration, the receipt
whereof is hereby acknowledged, the following described real estate in St. Joseph County, Indiana, to-wit:

Exhibit "A" attached hereto and made a part hereof

Grantor(s) herein agree(s) to pay all real estate taxes and assessments levied or assessed against the above-
designated real estate prior to the date of this deed.

Grantor(s) hereby convey(s) the above-described real estate free and clear of all leases, licenses, or other
interests, both legal and equitable, and all encumbrances of any kind or character.

This document shall constitute a conveyance of the above-described real estate (excepting any parcels
specifically designated as easements or as temporary right-of-ways) in fee simple and not merely for right-
of-way purposes, and no reversionary rights whatsoever are intended to remain in the Grantor(s).

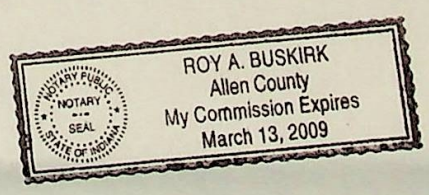
The undersigned person executing this deed represents and certifies on behalf of the Grantor, that the
undersigned is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or
the by-laws of the Grantor, to execute and deliver this deed; that the Grantor is a corporation in good
standing in the State of its origin and, where required, in the State where the subject real estate is situate;
that the Grantor has full corporate capacity to convey the real estate described; and that all necessary
corporate action for the making of this conveyance has been duly taken.

The Grantor warrants that no Gross Income Tax is due or payable as a result of this conveyance.

Dated this 7th day of July, 2005.

Walsh Enterprises, Inc., an Indiana corporation
By [Signature]
(Signature)

Robert E. Walsh, President
(Printed Name and Title)



DULY ENTERED FOR TAXATION
MICHAEL C. EBY
ST. JOSEPH CO. INDIANA

SURVEYOR'S REPORT
FOR
WALSH ENTERPRISES (PARCELS 10, ~~10A~~ & ~~10B~~)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AN AREA FOR PERMANENT AND/OR TEMPORARY EASEMENT AS PART OF EDDY, COLFAX, AND LASALLE INTERSECTION IMPROVEMENTS PROJECT No. HES-9971 ON STATE ROAD 23 (EDDY STREET).

THE EAST RIGHT-OF-WAY OF EDDY STREET NORTH OF LASALLE STREET WAS ESTABLISHED FROM EXISTING MONUMENTATION FOUND AT THE CORNERS OF PARCELS DESCRIBED IN DEED DOCUMENT #9608937 AND DEED DOCUMENT #8729658. THIS LINE WAS THEN EXTENDED SOUTH PAST COLFAX AVENUE. ADDITIONAL RIGHT-OF-WAY PARCELS AS DESCRIBED IN DEED DOCUMENT #9750386, DEED RECORD 437, PAGE 188, DEED RECORD 674, PAGE 61, AND DEED RECORD 680, PAGE 216 WERE USED IN ESTABLISHING THE REMAINING EAST RIGHT-OF-WAY OF EDDY STREET, SOUTH OF LASALLE STREET.

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THE DEGREE OF UNCERTAINTY IS AS FOLLOWS:

THEORETICAL	-	0.5 (CLASS "C" SURVEY)
TITLE	-	NONE
MONUMENTATION	-	THE WEST LINE OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN WAS NOT DETERMINED FOR THIS SURVEY DUE TO A LACK OF SECTION CORNER INFORMATION. MONUMENTS USED IN ESTABLISHING RIGHT-OF-WAY LOCATIONS VARY FROM PLATTED AND RECORDED DIMENSIONS BY AS MUCH AS 1.8'± NORTH/SOUTH AND 1.3'± EAST/WEST.
POSSESSION	-	NONE

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
NOVEMBER 22, 2004
04-121A
SHEET 2 OF 23

RIGHT-OF-WAY
PLAT OF SURVEY
for

10

10A

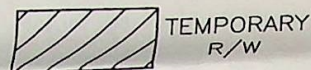
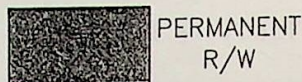
10B

Exhibit "A"

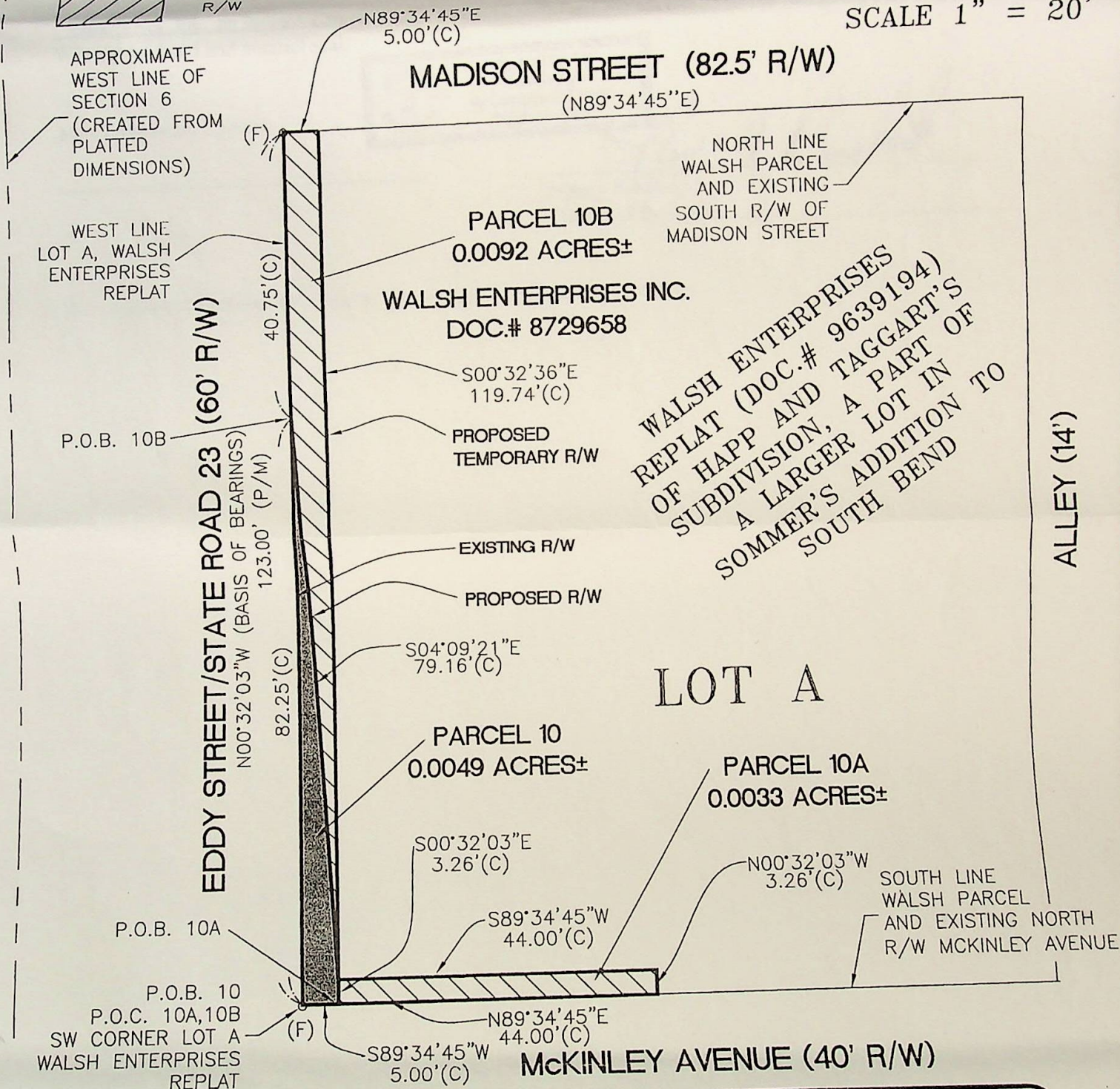
WALSH ENTERPRISES, INC.

SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST
PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

HATCH LEGEND



SCALE 1" = 20'



I HEREBY CERTIFY THAT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF THE WITHIN PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION AND COMPLETED ON 11-3-04 CLASS C SURVEY PER 865 IAC 25-21.5 SEE SHEET 2 OF 2 FOR SURVEYOR'S REPORT.

VAN H. JANOVIC
L.S. S0411

ROBERT S. ALOI
L.S. 20200024

INVALID UNLESS
EMBOSS SEALED

TERRITORIAL ENGINEERING,
LLC
WALKERTON INDIANA

LEGEND

D.R. = DEED RECORD-BOOK/PAGE
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(M) = MEASURED
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● = RAILROAD SPIKE
○ = IRON ROD
○ = IRON PIPE
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— = EXISTING FENCE
—X—X— = POINT OF BEGINNING
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
—Δ— = MONUMENT
⊗ = NAIL

DATE:

11-22-04

JOB NO.:

04121A

FILE:

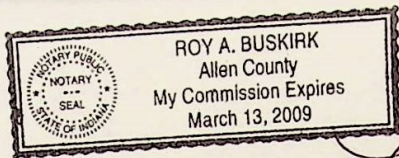
SECTION

11/22/2004
SHEET 1 OF 2

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

Before me, the undersigned, a Notary Public in and for said County and State, this 27th day of July, 2005, personally appeared Robert E. Walsh, President of Walsh Enterprises, Inc., an Indiana corporation, and acknowledged the execution of the foregoing instrument.
Witness my hand and notarial seal.

My Commission Expires:



Roy A. Buskirk
Notary Public
County of Residence _____

This instrument prepared by: John R. Livingston, Assistant City Attorney

PROPOSED DESCRIPTION
FOR
WALSH ENTERPRISES (PARCEL 10)
PERMANENT RIGHT-OF-WAY

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT "A", AS SHOWN ON THE RECORDED WALSH ENTERPRISES REPLAT OF HAPP & TAGGART'S SUBDIVISION OF LOTS 37 AND 38 BEING PART OF A LARGER LOT IN SOMMER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA (DOCUMENT #9639194); THENCE NORTH 00°32'03" WEST (BASIS OF BEARINGS) ON THE WEST LINE OF LOT "A" IN THE WALSH REPLAT BEING THE WEST LINE OF A PARCEL OF LAND CONVEYED TO WALSH ENTERPRISES, INC. IN DOCUMENT #8729658 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER, A DISTANCE OF 82.25 FEET; THENCE SOUTH 04°09'21" EAST, A DISTANCE OF 79.16 FEET; THENCE SOUTH 00°32'03" EAST, A DISTANCE OF 3.26 FEET TO THE SOUTH LINE OF THE WALSH ENTERPRISES PARCEL BEING THE NORTH RIGHT-OF-WAY OF MCKINLEY AVENUE EAST OF EDDY STREET; THENCE SOUTH 89°34'45" WEST ON SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0049 ACRES MORE OR LESS.

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
04-121A
NOVEMBER 22, 2004
SHEET 1 OF 1
3 3