

3004
9/1/2005
Deed

18-5013-0404

LOT NO. 2

SUB: Portage Twnsph

Raymond C and Hazel M Tolosa, Jr
Eddy Street

Description:

A Parcel of land located in the Northeast Quarter of Section 12,
Twnsph 37 North, Range 2 East of the second principal Meridian in
Portage Twnsph St Joseph County Indiana

Eddy Street Project

4 Hold Trayer Group.

3004 Edg 81

0540307

RECORDED ON

09/01/2005 09:59:27AM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

REC FEE: \$20.00
PAGES: 4

PROJECT: HES-9971()
PARCEL: 2

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Raymond C. Tolosa, Jr. and Hazel M. Tolosa
being over the age of eighteen (18) years, 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).

Dated this 21st day of June, 2005.

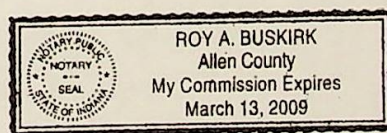
Raymond C. Tolosa, Jr.
(Signature)

Hazel M. Tolosa
(Signature)

Raymond C. Tolosa, Jr.
(Printed Name)

Hazel M. Tolosa
(Printed Name)

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



Before me, the undersigned, a Notary Public in and for said County and State, this 21st day of June, 2005, personally appeared Raymond C. Tolosa, Jr. and Hazel M. Tolosa, being over the age of eighteen (18), 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

RECEIVED

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

SEP 19 2005
CITY OF SOUTH BEND
DIV. OF ENGINEERING

4 Hold Trayer Group.

3004 Eddy St

Transfer: 8116
Taxing Unit: So. Bend
Date: 9-1-2005

0540307

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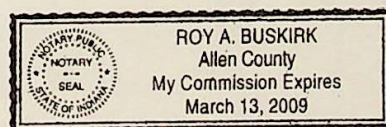
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(Signature)

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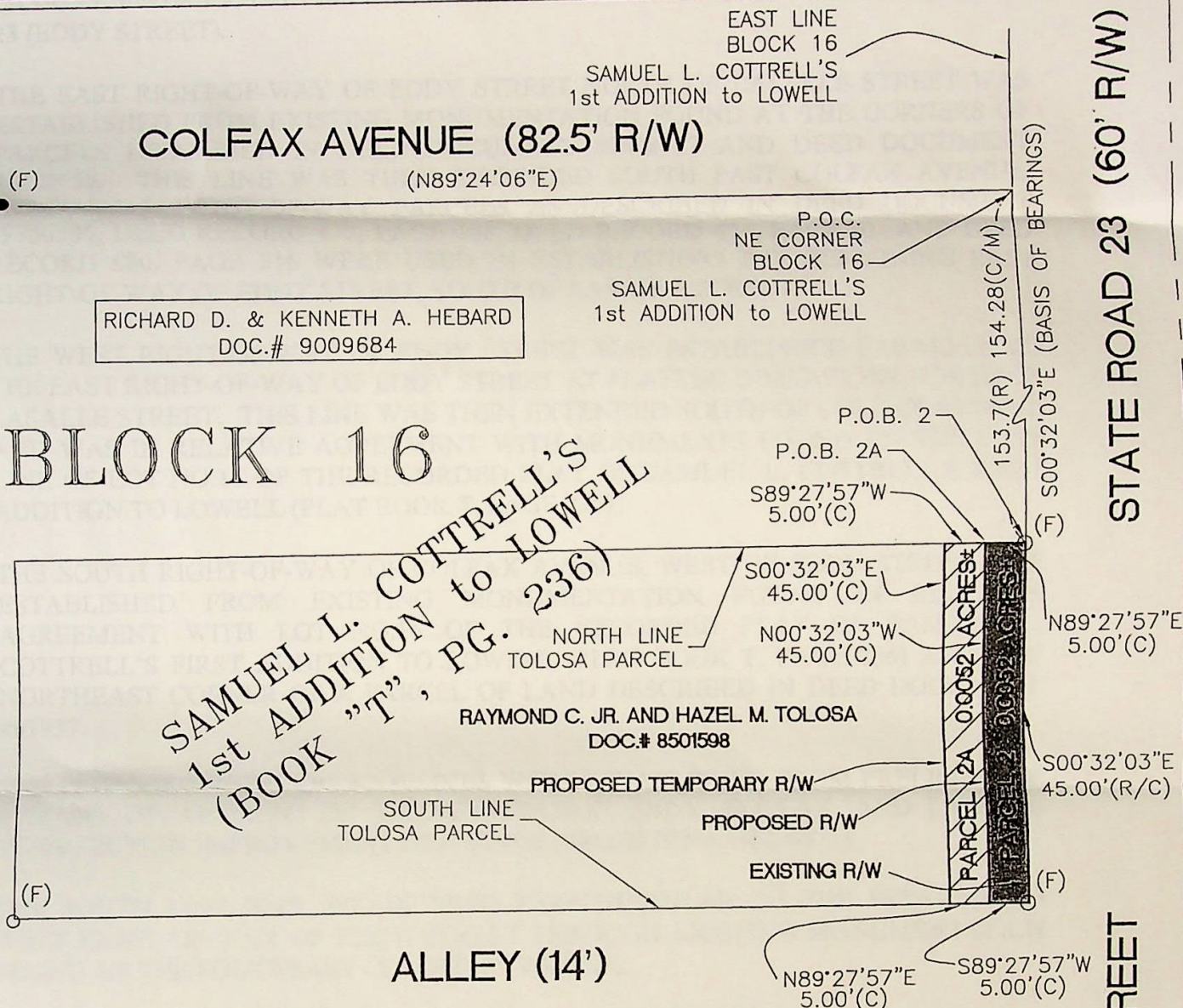
Exhibit "A"

RIGHT-OF-WAY
PLAT OF SURVEY
for
TOLOSA

2

2A

SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST
PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA



HATCH LEGEND



PERMANENT
R/W



TEMPORARY
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
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Δ = MONUMENT
⊗ = NAIL

DATE:

11-22-04

JOB NO.:

04121A

FILE:

SECTION

11/22/2004
SHEET 1 OF 23

SURVEYOR'S REPORT
FOR
TOLOSA (PARCELS 2 & ~~2A~~)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AREAS FOR PERMANENT AND/OR TEMPORARY EASEMENT PARCELS 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 COLFAX AVENUE, WEST OF EDDY STREET WAS ESTABLISHED FROM EXISTING MONUMENTATION FOUND IN RELATIVE AGREEMENT WITH LOT NO. 16 OF THE RECORDED PLAT OF SAMUEL L. COTTRELL'S FIRST ADDITION TO LOWELL (PLAT BOOK T, PAGE 236) AND THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED DOCUMENT #97937.

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 SOUTH LINE WAS ESTABLISHED PERPENDICULAR TO THE ESTABLISHED WEST RIGHT-OF-WAY OF EDDY STREET THROUGH EXISTING MONUMENTATION FOUND AT THE SOUTHEAST CORNER OF PARCEL.

THE NORTH LINE WAS ESTABLISHED AT RECORDED DISTANCES AND PARALLEL TO THE ESTABLISHED SOUTH LINE.

THE DEGREE OF UNCERTAINTY IS AS FOLLOWS:

THEORETICAL	-	0.5 (CLASS "C" SURVEY)
TITLE	-	NONE
MONUMENTATION	-	THE EAST LINE OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 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
TOLOSA PARCEL 2
PERMANENT RIGHT-OF-WAY

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN IN PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 16 AS SHOWN ON THE RECORDED PLAT OF SAMUEL L. COTTRELL'S FIRST ADDITION TO LOWELL (PLAT BOOK "T", PAGE 236), NOW A PART OF THE CITY OF SOUTH BEND, INDIANA; THENCE SOUTH $00^{\circ}32'03''$ EAST (BASIS OF BEARINGS) ON THE EAST LINE OF BLOCK 16, A DISTANCE OF 154.28 FEET TO THE NORTHEAST CORNER OF A PARCEL CONVEYED TO RAYMOND C. JR. AND HAZEL M. TOLOSA IN DOCUMENT #8501598 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER BEING THE POINT OF BEGINNING; THENCE SOUTH $00^{\circ}32'03''$ EAST, A DISTANCE OF 45.00 FEET TO THE SOUTHEAST CORNER OF THE TOLOSA PARCEL; THENCE SOUTH $89^{\circ}27'57''$ WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH $00^{\circ}32'03''$ WEST, A DISTANCE OF 45.00 FEET TO THE NORTH LINE OF THE TOLOSA PARCEL; THENCE NORTH $89^{\circ}27'57''$ EAST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0052 ACRES MORE OR LESS.

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

Transfer 8116
Taxing Unit So. Bend
Date 9-1-2005

0540307

RECORDED ON

09/01/2005 09:59:27AM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

REC FEE: \$20.00
PAGES: 4

PROJECT: HES-9971()
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Dated this 21st day of June, 2005.

(Signature)

Raymond C. Tolosa, Jr.
(Printed Name)

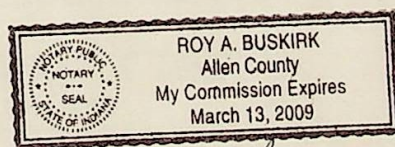
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(Printed Name)

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) SS:

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MICHAEL C. EBY
ST. JOSEPH CO. INDIANA

RIGHT-OF-WAY
PLAT OF SURVEY

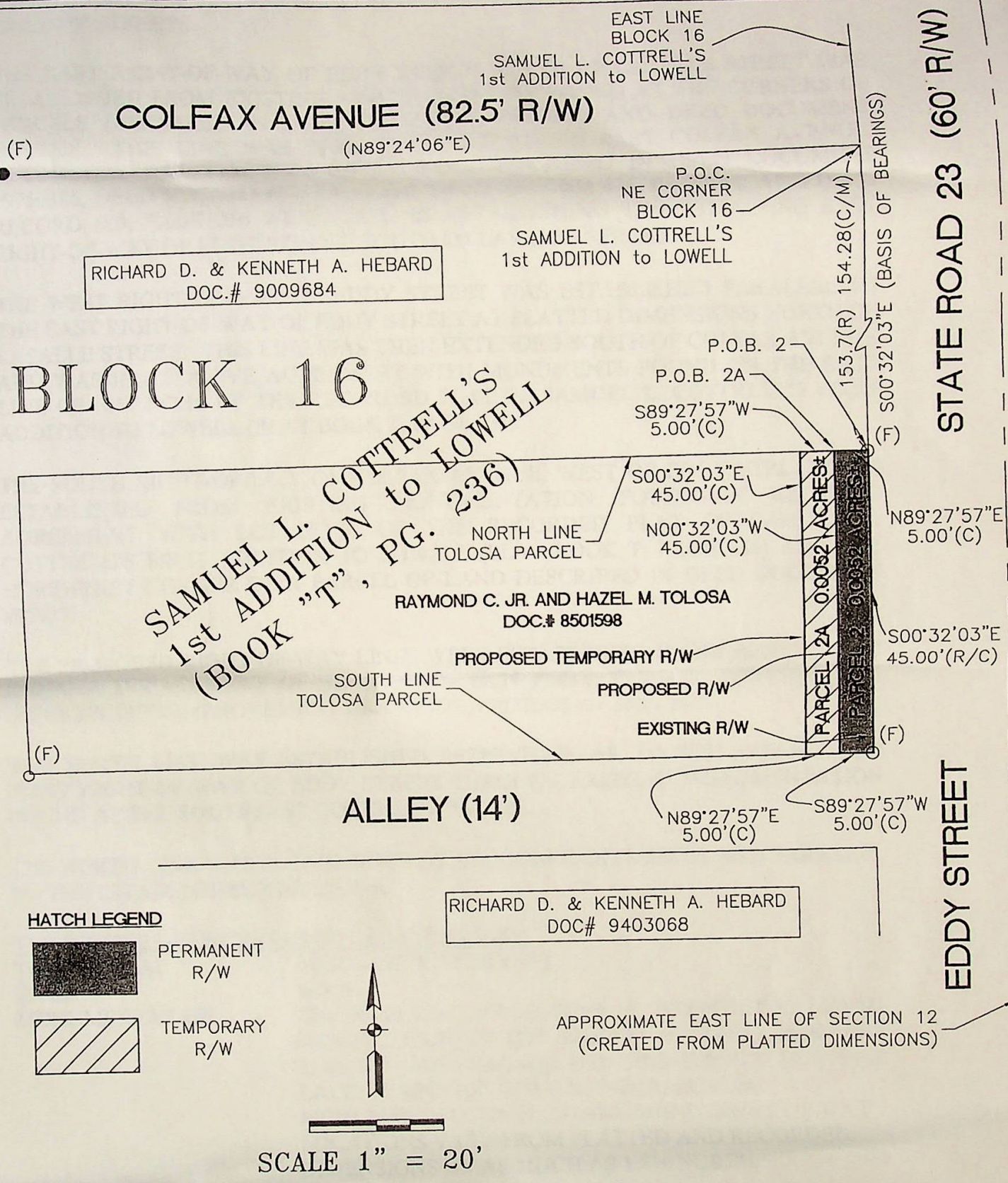
2

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Exhibit "A"

for
TOLOSA

SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST
PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA



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

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WALKERTON INDIANA

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Robert S. Aloï

11/22/2004
SHEET 1 OF 23

DATE: 11-22-04
JOB NO.: 04121A
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NOVEMBER 22, 2004
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