

3195

1/31/2007

Warranty Deed/Partial Release of Mortgage
(2)/Satisfaction of Mortgage/Temporary
Easement Agreement

LOT NO. 1

SUB: Samuel L. Cottrell's 1st Addition to Lowell

Hebard, Richard /Hebard Kenneth
Eddy Street

Description: 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

1 HES
TROPER

transfer 12666
Taxing Unit 3.6.
date 01. 31. 07

0704136
RECORDED AS PRESENTED ON
01/31/2007 09:29:50AM
TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER
REC FEE: \$31.00
PAGES: 7

PROJECT: HES-9971()
PARCEL: 1 & 1A

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Richard D. Hebard and Kenneth A. Hebard, as tenants in common
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 20th day of JULY, 2005.

(Signature)

Richard D. Hebard
(Printed Name)

(Signature)

Kenneth A. Hebard
(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 20th day of JULY, 2006, 2005, personally appeared Richard D. Hebard and Kenneth A. Hebard, as tenants in common, being over the age of eighteen (18), and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:

11-17-2007

Notary Public

County of Residence St. Joseph Cty

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



Carol L. Lewis
Notary Public
St. Joseph County, State of Indiana
My Commission Expires 11-17-2007

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

Exhibit "A"

RIGHT-OF-WAY
PLAT OF SURVEY
for
HEBARD

1

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

COLFAX AVENUE (82.5' R/W)

(N89°24'06"E)

P.O.C.
NE CORNER BLOCK 16
SAMUEL L. COTTRELL'S
1st ADDITION to LOWELL

RAYMOND C. JR. AND HAZEL M. TOLOSA
DOC.# 8501598

EAST LINE
BLOCK 16
SAMUEL L. COTTRELL'S
1st ADDITION to LOWELL

S.R. 23 (60' R/W)

N89°27'57"E

ALLEY (14')

NORTH LINE
HEBARD PARCEL

N89°27'57"E
2.00'(C)

P.O.B.

213.28'(C)
S00°32'03"E (BASIS OF BEARINGS)

APPROXIMATE EAST LINE
OF SECTION 12 (CREATED
FROM PLATTED DIMENSIONS)

BLOCK 16

RICHARD D. AND KENNETH A. HEBARD
DOC.# 9403068

PARCEL 1
0.0010
ACRES±

N03°10'40"W
43.36'(C)

PROPOSED R/W

S.R. 23 (80' R/W)

EXISTING R/W

S00°32'03"E
43.32'(C)

SAMUEL L. COTTRELL'S
1st ADDITION to LOWELL
(BOOK "T", PG. 236)



SCALE 1" = 10'

EDDY STREET / STATE ROAD 23

HATCH LEGEND



PERMANENT
R/W

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-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
HEBARD (PARCEL 1)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AN AREA FOR PERMANENT 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 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 NORTH LINE OF THE HEBARD PARCEL WAS ESTABLISHED PARALLEL AND AT PLATTED DIMENSIONS TO THE ESTABLISHED SOUTH LINE OF A PARCEL CONVEYED TO RAYMOND C. JR. AND HAZEL M. TOLOSA IN DOCUMENT #8501598.

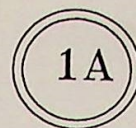
THE PROPOSED RIGHT-OF-WAY LINES WERE ESTABLISHED FROM PRELIMINARY INDIANA DEPARTMENT OF TRANSPORTATION EDDY, COLFAX, AND LASALLE INTERSECTION IMPROVEMENT DRAWINGS (PROJECT No. HES-9971).

THE DEGREE OF UNCERTAINTY IS AS FOLLOWS:

THEORETICAL	- 0.5 (CLASS "C" SURVEY)
TITLE	- NONE
MONUMENTATION	- THE 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

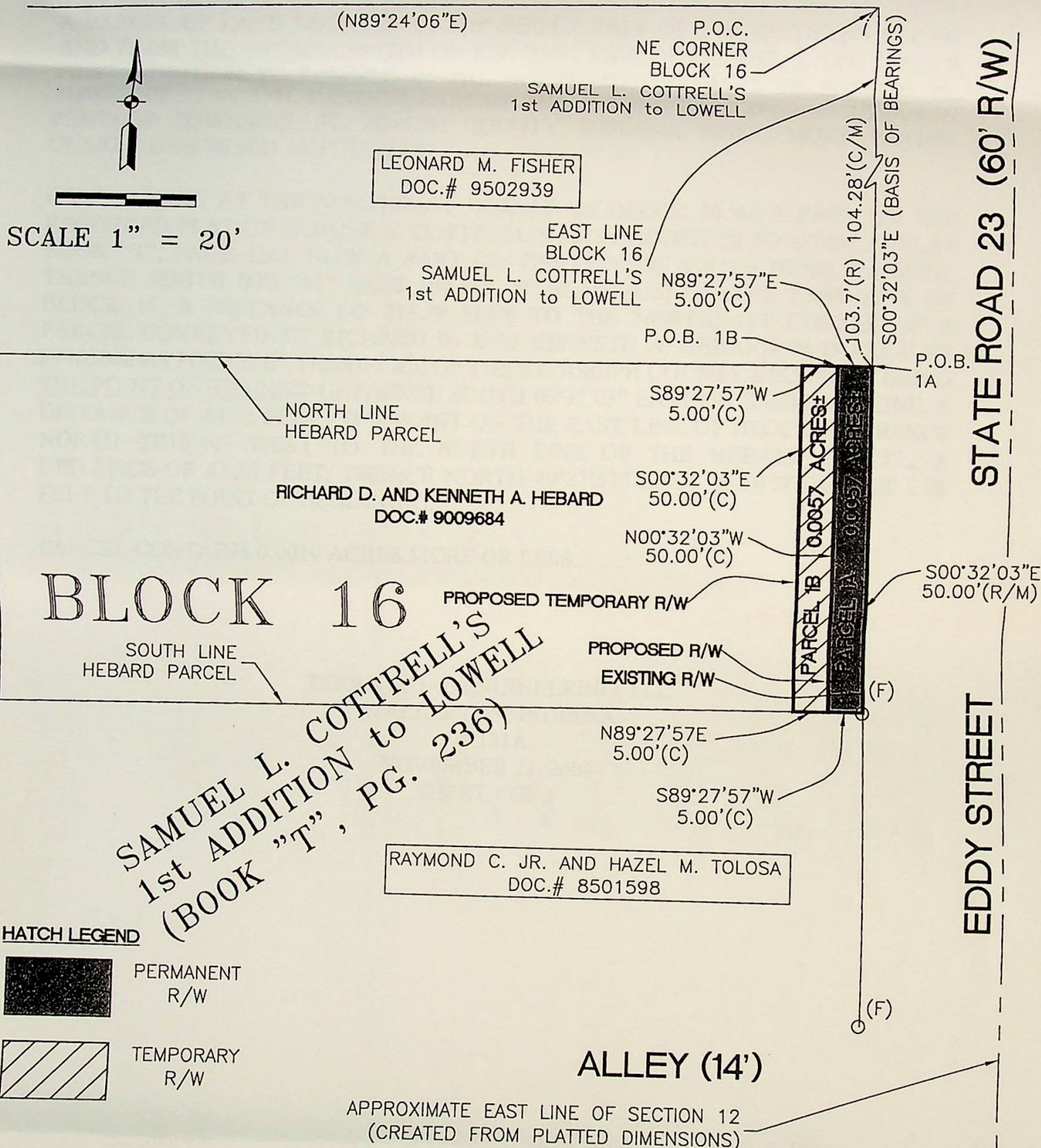
TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
NOVEMBER 22, 2004
04-121A
SHEET 2 OF 26

RIGHT-OF-WAY
PLAT OF SURVEY
for
HEBARD



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

COLFAX AVENUE (82.5' R/W)



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 |
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| (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 |
| Ø = RAILROAD SPIKE | P.O.C. = POINT OF COMMENCING |
| ● = IRON ROD | Δ = MONUMENT |
| ○ = IRON PIPE | ⊗ = NAIL |

DATE:

11-22-04

JOB NO.:

04121A

FILE:

SECTION

SHEET 1 OF 2

PROPOSED DESCRIPTION
FOR
HEBARD (PARCEL 1)
PERMANENT RIGHT-OF-WAY

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF 1-ACRE TAKEN OFF OF AND FROM THE ENTIRE LENGTH OF THE EAST SIDE OF SAMUEL L. COTTRELL'S FIRST ADDITION TO LOWELL 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°32'03" EAST (BASIS OF BEARINGS) ON THE EAST LINE OF BLOCK 16, A DISTANCE OF 213.28 FEET TO THE NORTHEAST CORNER OF A PARCEL CONVEYED TO RICHARD D. AND KENNETH A. HEBARD IN DOCUMENT #9403068 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER BEING THE POINT OF BEGINNING; THENCE SOUTH 00°32'03" EAST ON SAID EAST LINE, A DISTANCE OF 43.32 FEET TO A POINT ON THE EAST LINE OF BLOCK 16; THENCE NORTH 03°10'40" WEST TO THE NORTH LINE OF THE HEBARD PARCEL, A DISTANCE OF 43.36 FEET; THENCE NORTH 89°27'57" EAST, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0010 ACRES MORE OR LESS.

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
04-121A
NOVEMBER 22, 2004
SHEET ~~X~~ OF ~~X~~
3 6

SURVEYOR'S REPORT
FOR
HEBARD (PARCELS 1A & 1B)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AREAS FOR PERMANENT AND/OR TEMPORARY EASEMENT PARCELS AS PART OF EDDY, COLFAX, AND LASALLE 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 AS THE NORTH LINE OF A PARCEL CONVEYED TO RAYMOND C. JR. AND HAZEL M. TOLOSA DOCUMENT #8501598, AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER.

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 2
5 6

4
HOLD
TROYER GROUP

0704133

RECORDED AS PRESENTED ON

01/31/2007 09:29:47AM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

REC FEE: \$20.00

Project: HES-9971() 4

Parcel: 1

Road: Eddy, Colfax & LaSalle

PARTIAL RELEASE OF MORTGAGE

This is to certify that a certain mortgage executed by Richard D. Hebard and Kenneth A. Hebard, single persons (Mortgagor), to Wells Fargo Bank Indiana, National Association, n/k/a Wells Fargo Bank, National Association (Mortgagee), dated January 27, 2004 and recorded February 11, 2004 in the sum of \$ 285,000.00 recorded as Document No. 0406326 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 Wells Fargo Bank, National Association, f/k/a Wells Fargo Bank Indiana, National Association (Mortgagee) has caused this partial release of mortgage to be signed by its VICE PRESIDENT and its seal attached thereto this 24th day of August, 2006.

Wells Fargo Bank, National Association, f/k/a Wells Fargo Bank Indiana, National Association
Mortgagee

By David W. Sumner
(Signature)
David W. Sumner VP
(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 David W. Sumner, known to me to be the Vice President of the Wells Fargo Bank, National Association and acknowledged the execution of the above partial release of mortgage as and for the act and deed of the said Wells Fargo Bank, National Association.

Witness my hand and notarial seal this 24th day of August, 2006.



Sandra Podelwitz
Notary Public (Signature)
Sandra Podelwitz
Notary Public (Printed Name)

My commission expires 11-04-2008.
My county of residence is St. Joseph.
This instrument was prepared by Roy A. Buskirk.

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, Roy A. Buskirk.

Exhibit "A"

RIGHT-OF-WAY
PLAT OF SURVEY

for
HEBARD

1

107 N. Eddy St.

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

COLFAX AVENUE (82.5' R/W)

(N89°24'06"E)

P.O.C.
NE CORNER BLOCK 16
SAMUEL L. COTTRELL'S
1st ADDITION to LOWELL

RAYMOND C. JR. AND HAZEL M. TOLOSA
DOC.# 8501598

EAST LINE
BLOCK 16
SAMUEL L. COTTRELL'S
1st ADDITION to LOWELL

S.R. 23 (60' R/W)

N89°27'57"E

ALLEY (14')

NORTH LINE
HEBARD PARCEL

N89°27'57"E
2.00'(C)

P.O.B.

213.28'(C)
S00°32'03"E (BASIS OF BEARINGS)

APPROXIMATE EAST LINE
OF SECTION 12 (CREATED
FROM PLATTED DIMENSIONS)

BLOCK 16

RICHARD D. AND KENNETH A. HEBARD
DOC.# 9403068

PARCEL 1
0.0010
ACRES±

N03°10'40"W
43.36'(C)

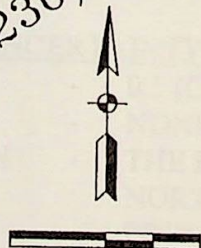
PROPOSED R/W

S.R. 23 (80' R/W)

EXISTING R/W

S00°32'03"E
43.32'(C)

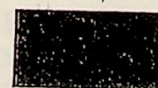
SAMUEL L. COTTRELL'S
1st ADDITION to LOWELL
(BOOK "T", PG. 236)



SCALE 1" = 10'

EDDY STREET / STATE ROAD 23

HATCH LEGEND



PERMANENT
R/W

I HEREBY CERTIFY THAT TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF
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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

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TERRITORIAL ENGINEERING,
LLC

WALKERTON INDIANA

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△ = MONUMENT
⊗ = NAIL

DATE:

11-22-04

JOB NO.:

04121A

FILE:

SECTION

11/22/2004
SHEET 1 OF 3

SURVEYOR'S REPORT
FOR
HEBARD (PARCEL 1)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AN AREA FOR PERMANENT 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 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 NORTH LINE OF THE HEBARD PARCEL WAS ESTABLISHED PARALLEL AND AT PLATTED DIMENSIONS TO THE ESTABLISHED SOUTH LINE OF A PARCEL CONVEYED TO RAYMOND C. JR. AND HAZEL M. TOLOSA IN DOCUMENT #8501598.

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 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 3

4
HOLD
TROYER GROUP

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ST. JOSEPH COUNTY
RECORDER

REC FEE: \$18.00
PAGES: 4
Project: HES-9971()
Parcel: 1
Road: Eddy, Colfax & LaSalle

PARTIAL RELEASE OF MORTGAGE

This is to certify that a certain mortgage executed by Richard D. Hebard and Kenneth A. Hebard, as tenants in common (Mortgagors), to 1st Source Bank (Mortgagee), dated January 25, 2002 and recorded February 1, 2002 in the sum of \$ 57,035.05 recorded as Document No. 0207568 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 1st Source Bank (Mortgagee) has caused this partial release of mortgage to be signed by its Senior Vice President and its seal attached thereto this 15 day of August, 2006.



1st Source Bank
Mortgagee
By [Signature]
(Signature)
A. Bruce Burkart, Senior Vice President
(Printed Name and Title)

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

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared A. Bruce Burkart, known to me to be the Senior Vice President of the 1st Source Bank and acknowledged the execution of the above partial release of mortgage as and for the act and deed of the said 1st Source Bank.

Witness my hand and notarial seal this 15 day of August, 2006.

[Signature]
Notary Public (Signature)
Kimberley K. Davis
Notary Public (Printed Name)

My commission expires July 26, 2009.
My county of residence is St. Joseph.
This instrument was prepared by Roy A. Buskirk.

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, Roy A. Buskirk.

PROPOSED DESCRIPTION
FOR
HEBARD (PARCEL 1)
PERMANENT RIGHT-OF-WAY

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF 1-ACRE TAKEN OFF OF AND FROM THE ENTIRE LENGTH OF THE EAST SIDE OF SAMUEL L. COTTRELL'S FIRST ADDITION TO LOWELL 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°32'03" EAST (BASIS OF BEARINGS) ON THE EAST LINE OF BLOCK 16, A DISTANCE OF 213.28 FEET TO THE NORTHEAST CORNER OF A PARCEL CONVEYED TO RICHARD D. AND KENNETH A. HEBARD IN DOCUMENT #9403068 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER BEING THE POINT OF BEGINNING; THENCE SOUTH 00°32'03" EAST ON SAID EAST LINE, A DISTANCE OF 43.32 FEET TO A POINT ON THE EAST LINE OF BLOCK 16; THENCE NORTH 03°10'40" WEST TO THE NORTH LINE OF THE HEBARD PARCEL, A DISTANCE OF 43.36 FEET; THENCE NORTH 89°27'57" EAST, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0010 ACRES MORE OR LESS.

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

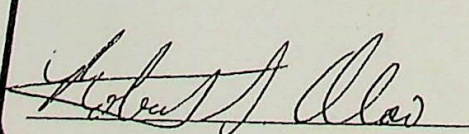
SEE SHEET 2 OF 2 FOR SURVEYOR'S REPORT.		WALKERTON INDIANA	
VAN H. JANOVIC L.S. S0411	ROBERT S. ALOI L.S. 20200024	LLC	
INVALID UNLESS EMBOSS SEALED		LEGEND	
		D.R. = DEED RECORD-BOOK/PAGE (F) = FOUND (S) = SET (R) = RECORDED (P) = PLATTED (M) = MEASURED (C) = CALCULATED * = DIMENSION NOT TO SCALE Ø = 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-X- = EXISTING FENCE P.O.B. = POINT OF BEGINNING P.O.C. = POINT OF COMMENCING Δ = MONUMENT ⊗ = NAIL
 11/22/2004 SHEET 1 OF 3 1 3		DATE: 11-22-04	JOB NO.: 04121A
		FILE: SECTION	

Exhibit "A"

HIGHWAY-OF-WAY
PLAT OF SURVEY
for
HEBARD

1A

1B

125 N. Eddy St.

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

COLFAX AVENUE (82.5' R/W)

(N89°24'06"E)



SCALE 1" = 20'

LEONARD M. FISHER
DOC.# 9502939

P.O.C.
NE CORNER
BLOCK 16
SAMUEL L. COTTRELL'S
1st ADDITION to LOWELL

EAST LINE
BLOCK 16
SAMUEL L. COTTRELL'S
1st ADDITION to LOWELL
N89°27'57"E
5.00'(C)

P.O.B. 1B

103.7'(R) 104.28'(C/M)

S00°32'03"E (BASIS OF BEARINGS)

P.O.B. 1A

NORTH LINE
HEBARD PARCEL

RICHARD D. AND KENNETH A. HEBARD
DOC.# 9009684

S89°27'57"W
5.00'(C)

S00°32'03"E
50.00'(C)

N00°32'03"W
50.00'(C)

S00°32'03"E
50.00'(R/M)

BLOCK 16

SOUTH LINE
HEBARD PARCEL

PROPOSED TEMPORARY R/W

PROPOSED R/W
EXISTING R/W

PARCEL 1B 0.0057 ACRES±

N89°27'57"E
5.00'(C)

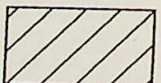
S89°27'57"W
5.00'(C)

RAYMOND C. JR. AND HAZEL M. TOLOSA
DOC.# 8501598

HATCH LEGEND



PERMANENT
R/W



TEMPORARY
R/W

ALLEY (14')

APPROXIMATE EAST LINE OF SECTION 12
(CREATED FROM PLATTED DIMENSIONS)

STATE ROAD 23 (60' R/W)

EDDY STREET

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- = EXISTING FENCE
* = DIMENSION NOT TO SCALE	P.O.B. = POINT OF BEGINNING
⊘ = RAILROAD SPIKE	P.O.C. = POINT OF COMMENCING
● = IRON ROD	Δ = MONUMENT
○ = IRON PIPE	⊗ = NAIL

DATE:

11-22-04

JOB NO.:

04121A

FILE:

SECTION

SHEET 1 OF 2

SURVEYOR'S REPORT
FOR
HEBARD (PARCELS 1A & 1B)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AREAS FOR PERMANENT AND/OR TEMPORARY EASEMENT PARCELS AS PART OF EDDY, COLFAX, AND LASALLE 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 AS THE NORTH LINE OF A PARCEL CONVEYED TO RAYMOND C. JR. AND HAZEL M. TOLOSA DOCUMENT #8501598, AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER.

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 2
2 3

4
HOLD TRAKER GROUP

0704135

RECORDED AS PRESENTED ON

01/31/2007 09:29:49AM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

REC FEE: \$19.00
PAGES: 4

PROJECT: HES-9971()
PARCEL: 1B

TEMPORARY EASEMENT AGREEMENT

2
HOLD TRAKER GROUP

0704134

RECORDED AS PRESENTED ON

01/31/2007 09:29:48AM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

REC FEE: \$17.00
PAGES: 2

Prepared by and after Recording Return to:)
)
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)
Name: Kathryn Muller)
Firm/Company: Wells Fargo Bank)
Address: 730 2nd Avenue South)
City, State, Zip: Minneapolis, MN. 55479)
Phone: 612-667-5986)
Athena Job: 1053148199)
Obligor Number: 3800683974)

-----Above This Line Reserved For Official Use Only-----

Assessor's Property Tax Parcel/Account Number:

SATISFACTION OF MORTGAGE

FOR VALUABLE CONSIDERATION OF TEN DOLLARS (\$10.00), and other good and valuable consideration, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, Wells Fargo Bank, National Association, a Corporation organized under the laws of the State of Indiana, does hereby certify that a certain Mortgage described below is hereby RELEASED AND SATISFIED IN FULL and the real estate described therein is fully released from said Mortgage:

Date of Mortgage: 08/28/1998
Executed by (Mortgagor(s)): Richard D. Hebard and Kenneth A. Hebard, as Tenants in Common

To and in favor of (Mortgagee): Wells Fargo Bank, National Association Successor to Norwest Bank, Indiana N.A. as a result of an acquisition and name change

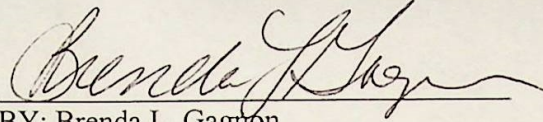
Filed of Record: In Book of Mortgages _____, Page _____,
Document/Inst. No. 9849881, in the Office of the County Recorder
Of Joseph County, Indiana, on 09/24/1998 (date).

Property: A part of Large Lot or Block Sixteen (16) as shown on the recorded Plat of Samuel L. Cottrell's Addition to the Town of Lowell, now a part of the City of South Bend, described as follows: Beginning at a point 103.7 feet South of the Northeast corner of said Large Lot or Block 16; thence West 124.8 feet; thence South 50 feet; thence East 124.8 feet to the West line of Eddy Street; thence North 50 feet to the place of beginning.

The Corporation executing this instrument is the present holder of the above described Mortgage.

IN WITNESS WHEREOF, this instrument was executed, signed and delivered by the undersigned on January 23, 2007

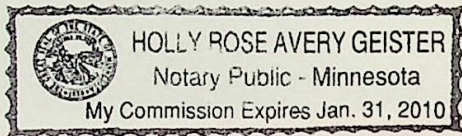
Wells Fargo Bank, National Association

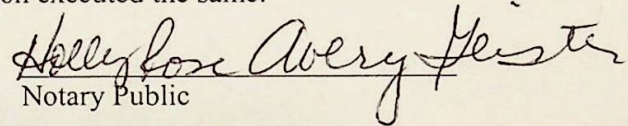


BY: Brenda L. Gagnon
TITLE: Banking Officer

STATE OF: Minnesota
COUNTY OF: Hennepin

On January 23, 2007 before me, Holly Rose Avery Geister personally appeared Brenda L. Gagnon Banking Officer, known to me of the corporation that is described in and that executed the within instrument and acknowledged to me that such corporation executed the same.




Notary Public

Printed Name: Holly Rose Avery Geister

My Commission Expires: 01/31/2010

Hand Thaker Group

0704135

RECORDED AS PRESENTED ON

01/31/2007 09:29:49AM

TERRI J. RETHLAKE
ST. JOSEPH COUNTY
RECORDER

REC FEE: \$19.00
PAGES: 4

PROJECT: HES-9971()
PARCEL: 1B

TEMPORARY EASEMENT AGREEMENT

THIS INDENTURE WITNESSETH, THAT Richard D. Hebard and Kenneth A. Hebard, as tenants in common
being over the age of eighteen (18) years, 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.

Dated this 20th day of July, 2005. 2006

(Signature)

Richard D. Hebard
(Printed Name)

(Signature)

Kenneth A. Hebard
(Printed Name)

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

Before me, the undersigned, a Notary Public in and for said County and State, this 20th day of July, 2006, 2005, personally appeared Richard D. Hebard and Kenneth A. Hebard, as tenants in common, being over the age of eighteen (18), and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:

11-17-2007

Carol L. Lewis

Notary Public

County of Residence St. Joseph County

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



Carol L. Lewis
Notary Public
St. Joseph County, State of Indiana
My Commission Expires 11-17-2007

PROPOSED DESCRIPTION
FOR
HEBARD PARCEL 1A
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:

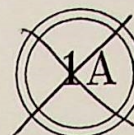
COMMENCING AT THE NORTHEAST CORNER OF BLOCK 16 AS SHOWN ON THE RECORDED PLAT OF SAMUEL L. COTTRELL'S FIRST ADDITION TO LOWELL (PLAT BOOK "T", PAGE 236), NOW A PART OF THE CITY OF SOUTH BEND, INDIANA; THENCE SOUTH 00°32'03" EAST (BASIS OF BEARINGS) ON THE EAST LINE OF BLOCK 16, A DISTANCE OF 104.28 FEET TO THE NORTHEAST CORNER OF A PARCEL CONVEYED TO RICHARD D. AND KENNETH A. HEBARD IN DOCUMENT #9009684 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER BEING THE POINT OF BEGINNING; THENCE SOUTH 00°32'03" EAST ON THE EAST LINE OF THE HEBARD PARCEL, A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF THE HEBARD PARCEL; THENCE SOUTH 89°27'57" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 00°32'03" WEST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF THE HEBARD PARCEL; THENCE NORTH 89°27'57" EAST ON THE SAID NORTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0057 ACRES MORE OR LESS.

TERRITORIAL ENGINEERING, LLC
WALKERTON, INDIANA
04-121A
NOVEMBER 22, 2004
SHEET X OF X
6 6

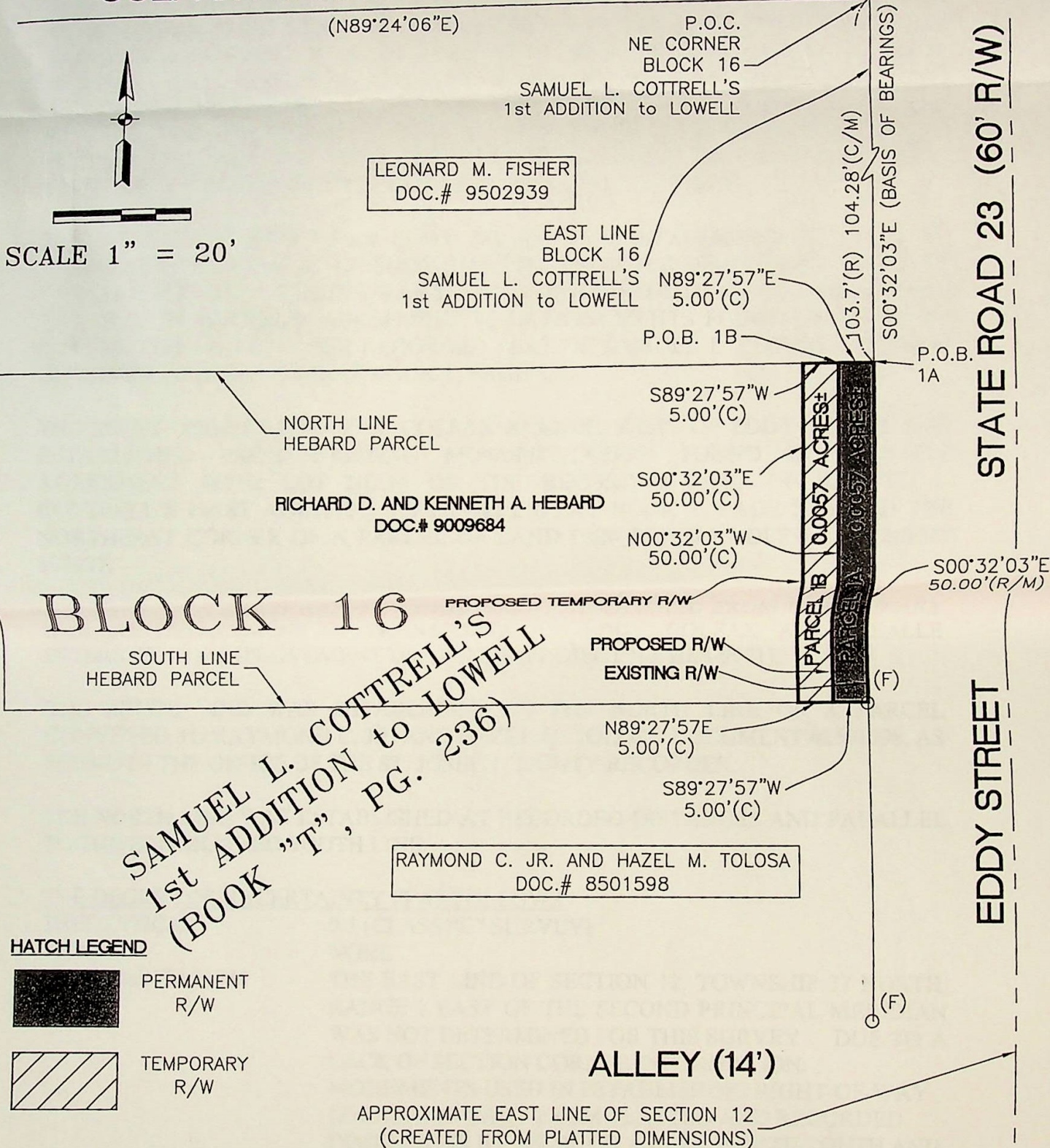
Exhibit "A"

HIGHWAY-OF-WAY
PLAT OF SURVEY
for
HEBARD

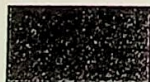


SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST
PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

COLFAX AVENUE (82.5' R/W)



HATCH LEGEND



PERMANENT
R/W



TEMPORARY
R/W

ALLEY (14')

APPROXIMATE EAST LINE OF SECTION 12
(CREATED FROM PLATTED DIMENSIONS)

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
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* = DIMENSION NOT TO SCALE	P.O.B. = POINT OF BEGINNING
Ø = RAILROAD SPIKE	P.O.C. = POINT OF COMMENCING
● = IRON ROD	Δ = MONUMENT
○ = IRON PIPE	⊗ = NAIL

DATE:

11-22-04

JOB NO.:

04121A

FILE:

SECTION

11/22/2004
SHEET 1 OF 23

SURVEYOR'S REPORT
FOR
HEBARD (PARCELS ~~A~~ & 1B)

THE PURPOSE OF THIS SURVEY IS TO DETERMINE AREAS FOR PERMANENT AND/OR TEMPORARY EASEMENT PARCELS AS PART OF EDDY, COLFAX, AND LASALLE 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).

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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
HEBARD PARCEL 1B
TEMPORARY 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°32'03" EAST (BASIS OF BEARINGS) ON THE EAST LINE OF BLOCK 16, A DISTANCE OF 104.28 FEET TO THE NORTHEAST CORNER OF A PARCEL CONVEYED TO RICHARD D. AND KENNETH A. HEBARD IN DOCUMENT #9009684 AS FOUND IN THE OFFICE OF THE ST. JOSEPH COUNTY RECORDER; THENCE SOUTH 89°27'57" WEST ON THE NORTH LINE OF THE HEBARD PARCEL, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°27'57" WEST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 00°32'03" EAST, A DISTANCE OF 50.00 FEET TO THE SOUTH LINE OF THE HEBARD PARCEL; THENCE NORTH 89°27'57" EAST ON SAID SOUTH LINE, A DISTANCE OF 5.00 FEET; THENCE NORTH 00°32'03" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.0057 ACRES MORE OR LESS.

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