

# Acquisition Documents

Scan Key : 31694

LA Code : 4360

Parcel Number : 6SA

Property Owner : Burkhart Signs

County : St. Joseph

Route Number : SR 331

DES Number : 9103705

Project Number : NH S750 3

Has Been Microfilmed

ERMS CSG 31694 : 4/1/2021 12:02:13 PM

31694



15  
Mail  
Yasmin L. Stump

code: 4360 # 65A

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

IN THE ST. JOSEPH CIRCUIT COURT  
CAUSE NO. 71C01-0404-PL-00097

STATE OF INDIANA,

Plaintiff,

v.

BURKHART ADVERTISING, INC., an  
Indiana corporation,

Defendant.

) Transfer 5114  
) Taxing Unit misc - **FILED**  
) Date 6-28-04

JUN 11 2004  
Clerk  
St. Joseph Circuit Court

**AGREED FINDING AND JUDGMENT**

Plaintiff, State of Indiana, by its attorney, Yasmin L. Stump; and  
Defendant, Burkhart Advertising, Inc., by its attorney, James W. Tuesley, concur  
in the findings set forth below and move the Court for judgment in this case.

The Court, having examined the record in this case and being duly  
advised, now FINDS:

1. Plaintiff filed its Complaint for Appropriation of Real Estate Interests  
in this case on April 21, 2004, and the Defendant was served with notice as  
provided by statute.
2. Defendant, Burkhart Advertising, Inc., appeared by counsel in this  
case on May 14, 2004.
3. Plaintiff and Defendant, Burkhart Advertising Inc., now agree to the  
Plaintiff's appropriation of the leasehold interest in and any and all improvements  
to the real estate described below; that Defendant, Burkhart Advertising, Inc.,  
shall recover for the Plaintiff's appropriation of the leasehold interest in and any

0431553

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TERRI J. RETHLAKE  
ST. JOSEPH COUNTY  
RECORDER

REC FEE: \$0.00  
PAGES: 15

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

and all improvements to the real estate described below total, just compensation of Three Hundred Thirty-nine Thousand Dollars (\$339,000.00).

4. All parties who requested a trial by jury now withdraw their requests.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that by the Court that there is no just reason for delay in entry of judgment upon the terms contained herein; that the leasehold interest in and any and all improvements to the real estate described below are APPROPRIATED; and that Plaintiff, State of Indiana, has all immediate rights of possession to the leasehold interest in and any and all improvements to the real estate described below:

A part of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) and the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼), Section 12, Township 37 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Beginning at a point on the south line of the Southwest Quarter of the Northwest Quarter of said section North 88 degrees 26 minutes 55 seconds East 174.94 feet (53.322 meters) from the southwest corner of the Southwest Quarter of the Northwest Quarter of said section, designated as point "4024" on the Location Control Route Survey Plat, Project NH-S750(003), recorded in Instrument No. 0237493 in the Office of the Recorder of the aforesaid county, which point of beginning is on the east boundary of S.R. 331 (also known as Capital Avenue); thence North 0 degrees 02 minutes 49 seconds West 80.31 feet (24.478 meters) along the boundary of said Capital Avenue to a northwest corner of the owner's land and the centerline of Jefferson Road; thence North 87 degrees 42 minutes 44 seconds East 348.55 feet (106.238 meters) along the centerline of said Jefferson Road; thence South 82 degrees 44 minutes 47 seconds East 457.12 feet (139.330 meters) along said centerline to a northeast

corner of the owner's land; thence South 11 degrees 02 minutes 15 seconds East 50.78 feet (15.478 meters) along the east line of the owner's land; thence North 88 degrees 08 minutes 58 seconds West 260.13 feet (79.288 meters); thence South 1 degree 51 minutes 02 seconds West 9.84 feet (3.000 meters); thence North 88 degrees 08 minutes 58 seconds West 131.23 feet (40.000 meters); thence South 63 degrees 02 minutes 23 seconds West 74.89 feet (22.826 meters); thence North 88 degrees 08 minutes 58 seconds West 65.62 feet (20.000 meters); thence North 44 degrees 16 minutes 46 seconds West 68.26 feet (20.806 meters) to the south line of said Southwest Quarter of the Northwest Quarter; thence South 88 degrees 26 minutes 55 seconds West 82.17 feet (25.045 meters) along said south line; thence South 76 degrees 37 minutes 58 seconds West 44.65 feet (13.609 meters); thence South 14 degrees 48 minutes 12 seconds West 269.68 feet (82.198 meters); thence South 29 degrees 50 minutes 13 seconds East 85.02 feet (25.914 meters); thence South 19 degrees 24 minutes 59 seconds West 204.06 feet (62.197 meters); thence South 16 degrees 01 minute 15 seconds West 134.14 feet (40.886 meters); thence South 11 degrees 34 minutes 57 seconds West 200.08 feet (60.984 meters); thence South 26 degrees 29 minutes 30 seconds West 135.84 feet (41.404 meters); thence South 12 degrees 33 minutes 11 seconds West 195.02 feet (59.442 meters); thence South 12 degrees 08 minutes 04 seconds West 69.59 feet (21.211 meters) to the west line of the Northwest Quarter of the Southwest Quarter of said section; thence North 0 degrees 00 minutes 05 seconds East 205.16 feet (62.533 meters) along said west line to the eastern boundary of said S.R. 331; thence North 13 degrees 03 minutes 11 seconds East 437.10 feet (133.228 meters) along the boundary of said S.R. 331 to the southeastern boundary of said S.R. 331; thence North 27 degrees 11 minutes 34 seconds East 93.89 feet (28.618 meters) along said boundary; thence along said boundary northeasterly 368.45 feet (112.304 meters) along an arc to the left having a radius of 2,009.86 feet (612.605 meters) (radius quoted from Instrument No. 8303593) and subtended by a long chord having a bearing of North 5 degrees 12 minutes 18 seconds

East and a length of 367.94 feet (112.148 meters); thence North 0 degrees 02 minutes 49 seconds West 156.98 feet (47.848 meters) along said boundary to the point of beginning and containing 3.406 acres (1.3784 hectares), more or less, inclusive of the presently existing right-of-way which contains 0.557 acres (0.2254 hectares), more or less. The portion of the above-described real estate which is not already embraced within presently existing right-of-way contains 2.849 acres (1.1530 hectares), more or less.

A part of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 12, Township 37 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Commencing at the southwest corner of said quarter section, designated as point "4024" on the Location Control Route Survey Plat, Project NH-S750(003), recorded in Instrument No. 0237493 in the Office of the Recorder of the aforesaid county; thence North 0 degrees 04 minutes 08 seconds West 180.68 feet (55.071 meters) along the west line of said quarter section to the north boundary of Jefferson Road and the northwest corner of a tract of land described in Instrument No. 8303593 recorded in the Office of the Recorder of the aforesaid county, dated December 16, 1982; thence North 89 degrees 57 minutes 11 seconds East 20.56 feet (6.267 meters) along the boundary of said Jefferson Road to the point of beginning of this description: thence North 4 degrees 26 minutes 36 seconds East 171.05 feet (52.136 meters); thence North 86 degrees 10 minutes 45 seconds West 34.09 feet (10.391 meters) to said west line; thence North 0 degrees 04 minutes 08 seconds West 128.85 feet (39.273 meters) along said west line; thence South 87 degrees 07 minutes 12 seconds East 31.94 feet (9.735 meters); thence North 1 degree 53 minutes 04 seconds East 401.62 feet (122.414 meters); thence North 0 degrees 02 minutes 49 seconds West 1,368.72 feet (417.186 meters) to the northwestern line of the owner's land; thence North 66 degrees 43 minutes 25 seconds East 284.38 feet (86.679 meters) along said northwestern line; thence South 0 degrees 17 minutes 23 seconds West 1,480.91 feet (451.381 meters); thence South 1 degree 56 minutes 58 seconds West 384.53 feet

(117.205 meters); thence South 87 degrees 19 minutes 54 seconds East 168.33 feet (51.307 meters); thence South 2 degrees 06 minutes 59 seconds West 166.63 feet (50.789 meters); thence South 79 degrees 20 minutes 41 seconds East 145.37 feet (44.309 meters); thence South 10 degrees 03 minutes 35 seconds West 31.31 feet (9.543 meters); thence North 78 degrees 48 minutes 48 seconds West 138.86 feet (42.325 meters); thence South 4 degrees 10 minutes 25 seconds West 40.82 feet (12.442 meters); thence South 89 degrees 12 minutes 33 seconds West 75.76 feet (23.092 meters); thence South 48 degrees 38 minutes 13 seconds West 14.11 feet (4.301 meters); thence South 0 degrees 49 minutes 55 seconds West 110.54 feet (33.693 meters); thence South 66 degrees 10 minutes 48 seconds East 20.40 feet (6.218 meters) to the northern boundary of said Jefferson Road and the southeast corner of said tract of land described in Instrument No. 8303593; thence North 75 degrees 24 minutes 17 seconds West 103.28 feet (31.480 meters) (distance quoted from Instrument No. 8303593) along the boundary of said Jefferson Road; thence South 87 degrees 42 minutes 44 seconds West 100.00 feet (30.480 meters) (distance quoted from Instrument No. 8303593) along said boundary; thence North 0 degrees 27 minutes 26 seconds East 35.73 feet (10.891 meters) (distance quoted from Instrument No. 8303593) along said boundary; thence South 89 degrees 57 minutes 11 seconds West 155.06 feet (47.262 meters) along said boundary to the point of beginning and containing 13.870 acres (5.6130 hectares), more or less.

A part of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 12, Township 37 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Beginning at a point on the south line of said quarter section North 88 degrees 26 minutes 55 seconds East 1,072.78 feet (326.983 meters) from the southwest corner of said quarter section, designated as point "4024" on the Location Control Route Survey Plat, Project NH-S750(003), recorded in Instrument No. 0237493 in the Office of the Recorder of the

aforesaid county, which point of beginning is on the centerline of Jefferson Road; thence North 82 degrees 44 minutes 47 seconds West 553.72 feet (168.774 meters) along the centerline of said Jefferson Road; thence South 87 degrees 42 minutes 44 seconds West 147.02 feet (44.812 meters) along said centerline; thence North 2 degrees 17 minutes 16 seconds West 30.00 feet (9.144 meters) to the north boundary of said Jefferson Road and the southeast corner of a tract of land described in Instrument No. 8303593 recorded in the Office of the Recorder of St. Joseph County, Indiana, dated December 16, 1982; thence North 87 degrees 42 minutes 44 seconds East 149.53 feet (45.577 meters) along the boundary of said Jefferson Road; thence South 82 degrees 44 minutes 47 seconds East 51.99 feet (15.847 meters) along said boundary; thence North 1 degree 51 minutes 02 seconds East 33.16 feet (10.108 meters); thence South 88 degrees 08 minutes 58 seconds East 78.74 feet (24.000 meters); thence South 8 degrees 27 minutes 16 seconds East 36.68 feet (11.180 meters); thence South 85 degrees 21 minutes 24 seconds East 134.68 feet (41.050 meters); thence South 1 degree 51 minutes 02 seconds West 9.84 feet (3.000 meters); thence South 88 degrees 08 minutes 58 seconds East 239.07 feet (72.870 meters); thence South 89 degrees 09 minutes 36 seconds East 286.21 feet (87.237 meters) to the east line of the owner's land; thence South 0 degrees 09 minutes 03 seconds East 48.35 feet (14.737 meters) along said east line to the south line of said quarter section; thence South 88 degrees 26 minutes 55 seconds West 248.01 feet (75.593 meters) along said south line to the point of beginning and containing 0.977 acres (0.3954 hectares), more or less, inclusive of the presently existing right-of-way which contains 0.654 acres (0.2647 hectares), more or less. The portion of the above-described real estate which is not already embraced within presently existing right-of-way contains 0.323 acres (0.1307 hectares), more or less.

A part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 12, Township 37 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of

Transportation L.A. Code 4360, described as follows: Beginning at the northwest corner of said quarter section, designated as point "606" on the Location Control Route Survey Plat, Project NH-S750(003), recorded in Instrument No. 0237493 in the Office of the Recorder of the aforesaid county; thence North 88 degrees 11 minutes 30 seconds East 865.22 feet (263.719 meters) along the north line of said quarter section to the southeastern line of the owner's land; thence South 66 degrees 43 minutes 25 seconds West 201.04 feet (61.277 meters) along said southeastern line; thence North 80 degrees 29 minutes 54 seconds West 23.86 feet (7.273 meters); thence North 89 degrees 50 minutes 00 seconds West 190.40 feet (58.034 meters); thence South 79 degrees 49 minutes 33 seconds West 112.75 feet (34.366 meters); thence South 64 degrees 14 minutes 21 seconds West 51.52 feet (15.703 meters); thence South 0 degrees 17 minutes 23 seconds West 122.18 feet (37.240 meters) to the southeastern line of the owner's land; thence South 66 degrees 43 minutes 25 seconds West 284.84 feet (86.819 meters) along said southeastern line; thence North 0 degrees 02 minutes 49 seconds West 234.52 feet (71.482 meters); thence North 81 degrees 01 minute 29 seconds West 46.81 feet (14.268 meters) to the west line of said quarter section; thence North 0 degrees 04 minutes 08 seconds West 82.86 feet (25.256 meters) along said west line to the point of beginning and containing 2.498 acres (1.0109 hectares), more or less, inclusive of the presently existing right-of-way which contains 0.748 acres (0.3027 hectares), more or less. The portion of the above-described real estate which is not already embraced within presently existing right-of-way contains 1.750 acres (0.7082 hectares), more or less.

A part of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 12, Township 37 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Beginning at a point on the north line of said quarter section North 88 degrees 11 minutes 30 seconds East 1,045.55 feet (318.684 meters) from the northwest corner of said quarter section, designated as point "606" on the Location



Control Route Survey Plat, Project NH-S750(003), recorded in Instrument No. 0237493 in the Office of the Recorder of the aforesaid county, which point of beginning is on the northwestern line of the owner's land; thence North 88 degrees 11 minutes 30 seconds East 271.60 feet (82.784 meters) along said north line to the east line of the owner's land; thence South 0 degrees 09 minutes 03 seconds East 75.49 feet (23.009 meters) along said east line; thence South 88 degrees 11 minutes 30 seconds West 200.93 feet (61.243 meters); thence South 1 degree 48 minutes 30 seconds East 39.37 feet (12.000 meters); thence South 88 degrees 11 minutes 30 seconds West 173.88 feet (53.000 meters); thence North 1 degree 48 minutes 30 seconds West 39.37 feet (12.000 meters); thence South 88 degrees 11 minutes 30 seconds West 86.48 feet (26.359 meters) to said northwestern line of the owner's land; thence North 66 degrees 43 minutes 25 seconds East 206.18 feet (62.844 meters) along said northwestern line to the point of beginning and containing 0.792 acres (0.3205 hectares), more or less, inclusive of the presently existing right-of-way which contains 0.296 acres (0.1198 hectares), more or less. The portion of the above-described real estate which is not already embraced within presently existing right-of-way contains 0.496 acres (0.2007 hectares), more or less. A part of the Southwest Quarter (SW ¼) of Section 1, Township 37 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Beginning at the southwest corner of said quarter section, designated as point "606" on the Location Control Route Survey Plat, Project NH-S870(012), recorded in Instrument No. 0237501 in the Office of the Recorder of the aforesaid county; thence North 0 degrees 10 minutes 21 seconds West 91.82 feet (27.987 meters) along the west line of said quarter section; thence North 71 degrees 00 minutes 27 seconds East 45.66 feet (13.917 meters); thence North 0 degrees 02 minutes 49 seconds West 508.53 feet (155.000 meters); thence South 89 degrees 57 minutes 11 seconds West 13.12 feet (4.000 meters); thence North 0 degrees 02 minutes 49 seconds West 68.90 feet (21.000 meters); thence North 89 degrees 57 minutes

11 seconds East 13.12 feet (4.000 meters); thence North 0 degrees 02 minutes 49 seconds West 160.76 feet (49.000 meters); thence North 1 degree 35 minutes 23 seconds East 459.50 feet (140.056 meters); thence North 0 degrees 21 minutes 51 seconds East 448.79 feet (136.791 meters); thence North 4 degrees 04 minutes 11 seconds East 585.92 feet (178.588 meters) to the north line of the owner's land; thence North 87 degrees 49 minutes 26 seconds East 13.43 feet (4.093 meters) along said north line to the west line of the owner's land; thence North 0 degrees 10 minutes 21 seconds West 310.00 feet (94.488 meters) along said west line to the north line of said quarter section and the northwest corner of the owner's land; thence North 87 degrees 49 minutes 26 seconds East 401.12 feet (122.261 meters) along said north line; thence South 2 degrees 10 minutes 34 seconds East 29.53 feet (9.000 meters); thence South 77 degrees 12 minutes 15 seconds West 53.41 feet (16.279 meters); thence South 52 degrees 17 minutes 10 seconds West 56.45 feet (17.206 meters); thence South 87 degrees 49 minutes 26 seconds West 96.85 feet (29.519 meters); thence South 3 degrees 11 minutes 09 seconds West 520.67 feet (158.700 meters); thence South 0 degrees 15 minutes 48 seconds West 759.37 feet (231.456 meters); thence South 2 degrees 05 minutes 32 seconds East 459.61 feet (140.089 meters); thence South 0 degrees 02 minutes 49 seconds East 131.23 feet (40.000 meters); thence North 89 degrees 57 minutes 11 seconds East 29.53 feet (9.000 meters); thence South 0 degrees 02 minutes 49 seconds East 98.43 feet (30.000 meters); thence South 89 degrees 57 minutes 11 seconds West 29.53 feet (9.000 meters); thence South 0 degrees 02 minutes 49 seconds East 505.25 feet (154.000 meters); thence South 58 degrees 16 minutes 36 seconds East 21.55 feet (6.567 meters); thence South 86 degrees 05 minutes 52 seconds East 65.94 feet (20.099 meters); thence North 88 degrees 11 minutes 30 seconds East 524.93 feet (160.000 meters); thence North 1 degree 48 minutes 30 seconds West 9.84 feet (3.000 meters); thence North 88 degrees 11 minutes 30 seconds East 154.20 feet (47.000 meters); thence South 84 degrees 05 minutes 12 seconds East 20.57 feet (6.270 meters) to the

southeastern line of the owner's land; thence South 66 degrees 43 minutes 25 seconds West 243.45 feet (74.204 meters) along said southeastern line to the south line of the Southwest Quarter of said section 1; thence South 88 degrees 11 minutes 30 seconds West 865.22 feet (263.719 meters) along said south line to the point of beginning and containing 16.165 acres (6.5417 hectares), more or less, inclusive of the presently existing right-of-way which contains 1.025 acres (0.4148 hectares), more or less. The portion of the above-described real estate which is not already embraced within presently existing right-of-way contains 15.140 acres (6.1269 hectares), more or less.

A part of the Southwest Quarter (SW  $\frac{1}{4}$ ) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 1, Township 37 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Beginning at a point on the south line of said quarter section, North 87 degrees 49 minutes 26 seconds East 360.04 feet (109.740 meters) (359.55 feet, Book 805, Page 399) from the southwest corner of said quarter section designated as point "653" on the Location Control Route Survey Plat, Project NH-S870(012), recorded in Instrument No. Instrument No. 0237501 in the Office of the Recorder of the aforesaid county, which point of beginning is also the southwest corner of the owner's land; thence North 0 degrees 10 minutes 47 seconds West 72.22 feet (22.013 meters) along the west line of the owner's land; thence North 87 degrees 49 minutes 26 seconds East 60.14 feet (18.331 meters); thence South 51 degrees 34 minutes 29 seconds East 60.50 feet (18.440 meters); thence North 87 degrees 49 minutes 26 seconds East 52.49 feet (16.000 meters); thence South 2 degrees 10 minutes 34 seconds East 32.81 feet (10.000 meters) to the south line of said quarter section; thence South 87 degrees 49 minutes 26 seconds West 161.08 feet (49.097 meters) along said south line to the point of beginning and containing 0.197 acres (0.0797 hectares), more or less, inclusive of the presently existing right-of-way which contains 0.074 acres (0.0299 hectares), more or less. The portion of the above-described real estate which is not already

embraced within presently existing right-of-way contains 0.123 acres (0.0498 hectares), more or less.

A part of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 1, Township 37 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360 described as follows: Commencing at the southwest corner of said quarter section, designated as point "653" on the Location Control Route Survey Plat, Project NH-S870(012), recorded in Instrument No. 0237501 in the Office of the Recorder of the aforesaid county; thence North 87 degrees 49 minutes 26 seconds East 360.04 feet (109.740 meters) (359.55 feet from Book 805, Page 399) along the south line of said quarter section to the southwest corner of the owner's land; thence North 0 degrees 10 minutes 47 seconds West 242.32 feet (73.859 meters) along the west line of the owner's land to the point of beginning of this description; thence North 0 degrees 10 minutes 47 seconds West 1,061.18 feet (323.448 meters) along said west line to the northwest corner of the owner's land; thence North 87 degrees 49 minutes 26 seconds East 105.00 feet (32.004 meters) along the north line of the owner's land; thence South 2 degrees 08 minutes 35 seconds West 281.61 feet (85.835 meters) along said line; thence South 86 degrees 34 minutes 55 seconds East 85.30 feet (26.000 meters); thence South 3 degrees 32 minutes 49 seconds West 60.03 feet (18.297 meters); thence North 86 degrees 19 minutes 27 seconds West 86.50 feet (26.365 meters); thence South 4 degrees 41 minutes 34 seconds West 235.24 feet (71.701 meters); thence South 7 degrees 46 minutes 54 seconds West 494.40 feet (150.693 meters) to the point of beginning and containing 1.686 acres (0.6823 hectares), more or less.

A part of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 36, Township 38 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Beginning at a point on the north line of said quarter-quarter section North 89 degrees 30 minutes 02 seconds East 500.91 feet (152.677 meters) from the

northwest corner of said quarter-quarter section, designated as point "712" on the Location Control Route Survey Plat, Project NH-S870(012), recorded in Instrument No. 0237501 in the Office of the Recorder of the aforesaid county, which point of beginning is also the northwest corner of the owner's land; thence North 89 degrees 30 minutes 02 seconds East 200.00 feet (60.960 meters) along said north line to the northeast corner of the owner's land; thence South 0 degrees 24 minutes 38 seconds East 56.60 feet (17.252 meters) along the east line of said owner's land; thence South 87 degrees 17 minutes 53 seconds West 149.34 feet (45.519 meters); thence South 63 degrees 22 minutes 30 seconds West 56.60 feet (17.252 meters) to the west line of the owner's land; thence North 0 degrees 24 minutes 38 seconds West 87.26 feet (26.597 meters) along said west line to the point of beginning and containing 0.291 acres (0.1178 hectares), more or less, inclusive of the presently existing right-of-way which contains 0.092 acres (0.0372 hectares), more or less. The portion of the above-described real estate which is not already embraced within presently existing right-of-way contains 0.199 acres (0.0805 hectares), more or less.

A part of the Northwest Quarter (NW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section 36, Township 38 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Commencing at the southwest corner of said quarter-quarter section, designated as point "712" on the Location Control Route Survey Plat, Project NH-S870(012), recorded in Instrument No. 0237501 in the Office of the Recorder of the aforesaid county; thence North 89 degrees 30 minutes 02 seconds East 661.28 feet (201.558 meters) along the south line of said quarter-quarter section to the prolonged east line of the owner's land; thence North 0 degrees 41 minutes 11 seconds West 62.11 feet (18.931 meters) along said prolonged east line to the northern boundary of Day Road; thence North 72 degrees 38 minutes 21 seconds West 11.44 feet (3.486 meters) along the boundary of said Day Road to the northeastern boundary of the intersection of said Day Road and S.R. 331 (also known as Capital Avenue); thence

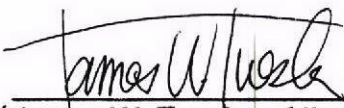
North 47 degrees 50 minutes 51 seconds West 38.45 feet (11.721 meters) along the boundary of the intersection of said Day Road and said S.R. 331 to the point of beginning of this description; thence North 47 degrees 50 minutes 51 seconds West 106.81 feet (32.557 meters) along said boundary to the east boundary of said S.R. 331; thence North 0 degrees 48 minutes 59 seconds West 90.99 feet (27.734 meters) along the boundary of said S.R. 331; thence North 89 degrees 30 minutes 01 second East 79.06 feet (24.097 meters); thence South 0 degrees 29 minutes 59 seconds East 163.36 feet (49.792 meters) to the point of beginning and containing 0.230 acres (0.0931 hectares), more or less.

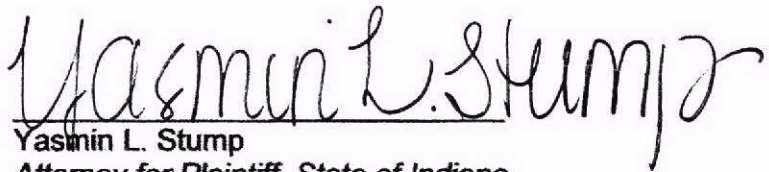
A part of the Northwest Quarter (NW  $\frac{1}{4}$ ) of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section 36, Township 38 North, Range 3 East, St. Joseph County, Indiana, and being Parcel 6SA, Indiana Department of Transportation L.A. Code 4360, described as follows: Commencing at the southwest corner of said quarter-quarter section, designated as point "712" on the Location Control Route Survey Plat, Project NH-S870(012), recorded in Instrument No. 0237501 in the Office of the Recorder of the aforesaid county; thence North 89 degrees 30 minutes 02 seconds East 661.28 feet (201.558 meters) along the south line of said quarter-quarter section to the prolonged east line of the owner's land; thence North 0 degrees 41 minutes 11 seconds West 62.11 feet (18.931 meters) along said prolonged east line to the northern boundary of Day Road and the point of beginning of this description; thence North 72 degrees 38 minutes 21 seconds West 11.44 feet (3.486 meters) along the boundary of said Day Road to the northeastern boundary of the intersection of said Day Road and S.R. 331 (also known as Capital Avenue); thence North 47 degrees 50 minutes 51 seconds West 4.84 feet (1.475 meters) along the boundary of the intersection of said Day Road and said S.R. 331; thence North 89 degrees 30 minutes 02 seconds East 14.43 feet (4.398 meters) to the east line of the owner's land; thence South 0 degrees 41 minutes 11 seconds East 6.79 feet (2.070 meters) along said east line to the point of beginning and containing 0.001 acres (0.0004 hectares), more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Defendant, Burkhart Advertising, Inc., shall have and recover as total, just compensation, for the Plaintiff's appropriation in this case, the amount of Three Hundred Thirty-nine Thousand Dollars (\$339,000.00); that the Plaintiff shall deposit with the Clerk of the Court said Three Hundred Thirty-nine Thousand Dollars (\$339,000.00); and that, the Clerk shall, immediately upon receipt of said amount, pay to Defendant, Burkhart Advertising, Inc., said Three Hundred Thirty-nine Thousand Dollars (\$339,000.00), in full satisfaction of this judgment and any and all of Defendant's claims in this case.

IT IS FURTHER ORDERED by the Court that the Clerk of this Court shall promptly send a certified copy of this Agreed Finding and Judgment to the Recorder of St. Joseph County, Indiana; that said Recorder shall, pursuant to IC 8-23-7-31 and without payment of fee, record the transfer of the leasehold interest in and any and all improvements to the above described real estate to the State of Indiana; and that said Recorder shall submit evidence of this recorded transfer, by United States mail, to: Yasmin L. Stump, Law Office of Yasmin L. Stump, 9000 Keystone Crossing, Suite 1000, Indianapolis, Indiana 46240.

AGREED TO AND APPROVED BY:

  
James W. Tuesley, Attorney for  
Defendant, Burkhart Advertising, Inc.  
Atty. No. 21850-71

  
Yasmin L. Stump  
Attorney for Plaintiff, State of Indiana  
Atty. No. 14876-49

Defendant, Burkhart Advertising, Inc.

Plaintiff, State of Indiana

By: Charles B. Miller  
Printed Name: CHARLES B. MILLER  
Title: PRESIDENT MEDIA DIVISION  
5/27/14

By: Kevan L. McClure  
Kevan L. McClure, Chief  
Division of Land Acquisition  
Indiana Department of Transportation

Michael S. Gitsel  
Judge, St. Joseph Circuit Court

Date: JUN 11 2004

Copies to:

Yasmin L. Stump  
LAW OFFICE OF YASMIN L. STUMP  
9000 Keystone Crossing, Suite 1000  
Indianapolis, IN 46240

James W. Tuesley  
BARNES & THORNBURG LLP  
600 1<sup>st</sup> Source Bank Center  
100 North Michigan Street  
South Bend, IN 46601

The Honorable Terri J. Rethlake  
Recorder of St. Joseph County, Indiana  
City-County Building, Third Floor  
227 West Jefferson Street  
South Bend, IN 46601