# INDOT

Acquisition Document

9DSE9

Scan Key **24401** 

LA Code 2440

Parcel No. 1

Owner SCHWARTZ, MEMMO M.ET UX.

STATE OF INDIANA COUNTY OF KOSCIUSKO

SS:

IN THE KOSCIUSKO CIRCUIT COURT CAUSE NO. 43C01 8903-CP-168

STATE OF INDIANA,

Plaintiff,

v.

MENNO M. SCHWARTZ,
MARY SCHWARTZ,
ELDON SCHWARTZ,
IDA SCHWARTZ,
AUDITOR OF KOSCIUSKO COUNTY,
and TREASURER OF KOSCIUSKO
COUNTY,

Defendants.

### FINDING AND JUDGMENT

The Court, having examined Plaintiff's Motion for Judgment and being duly advised, now finds:

- 1. Plaintiff filed its Complaint, which reads: (H.I.), on March 10, 1989 and all Defendants were served with notice as provided by statute.
- 2. Fee simple title to those real estate interests described in rhetorical paragraph four (4) of Plaintiff's Complaint was condemned by this Court on April 25, 1989.
- 3. On April 25, 1989, this Court appointed three disinterested freeholders of Kosciusko County, Indiana to assess the damages sustained by Defendants and caused by Plaintiff.
- 4. On May 22, 1989, these court-appointed appraisers reported to this Court that Defendants sustained total damages of Five Thousand Three Hundred Dollars (\$5,300.00).
- 5. Plaintiff deposited the appraisers' fees and funds equal to the appraisers' award with the Clerk of this Court on or before July 14, 1989.
- 6. Plaintiff did not file exceptions to the court-appointed appraisers' report.
- 7. Defendants did not file exceptions to the court-appointed appraisers' report.
- 8. Absent exceptions, damages in this cause shall be determined by the court-appointed appraisers' report.

Defendants, Auditor of Kosciusko County and Treasurer of Kosciusko County, appeared and disclaimed any interest in this cause. Defendants, Menno M. Schwartz, Mary Schwartz, 10. Eldon Schwartz and Ida Schwartz, should, absent exceptions, recover total damages including interest of Five Thousand Three Hundred Dollars (\$5,300.00) from Plaintiff. IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the appropriation entered in this cause on April 25, 1989 is hereby confirmed and that Plaintiff, State of Indiana, now holds fee simple title to those real estate interests described as: A part of the East Half of the Southeast Quarter of Section 10, Township 33 North, 4 East, Kosciusko County, Indiana, described as follows: Commencing at the northeast corner of said quarter section; thence South 0 degrees 43 minutes 46 East 32.73 feet along the east line of said section; thence South 89 degrees 16 minutes 14 seconds West 33.25 feet to the point of beginning of this description, which point is the intersection of the west boundary of S.R. 19 and the southern boundary of County Road 650 North: thence South 1 degree 20 minutes 00 seconds East 312.24 feet along the west boundary of said S.R. 19; thence South 1 degree 18 minutes 04 seconds East 220.01 feet thence South 89 degrees 06 minutes 00 seconds West 21.54 feet; along said boundary; thence North 1 degree 10 minutes 07 seconds West 320.00 feet; thence North 75 degrees 38 minutes 42 seconds West 57.01 feet; thence South 89 degrees 33 minutes 14 seconds West thence North 58 degrees 25 minutes 25 seconds West 291.23 feet; thence North 142.40 feet; 82 degrees 32 minutes 12 seconds West 173.48 feet; thence North 75 degrees 02 minutes 22 seconds West 118.03 feet to the south boundary of County Road 650 North; thence South 89 degrees 49 minutes 18 seconds East 80.04 feet along the boundary of said County Road 650 North; thence North 89 degrees 59 minutes 51 seconds East 89.51 feet along said boundary; thence South 89 degrees 59 minutes 02 seconds East 100.00 feet along said boundary; thence North 89 degrees 55 minutes 15 seconds East 300.00 feet along said boundary; thence South 89 degrees 48 minutes 16 seconds East 123.00 feet along said boundary; thence South 84 degrees 02 minutes 40 seconds East 55.33 feet along said boundary to the point of beginning and containing 2.120 acres, more or less. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants, Menno M. Schwartz, Mary Schwartz, Eldon Schwartz and Ida Schwartz, shall recover from Plaintiff, as final and total damages including interest, the sum of Five Thousand Three Hundred Dollars (\$5,300.00), which sum has already been paid to the Clerk of this Court; that Defendants, Auditor of Kosciusko County and Treasurer of Kosciusko County, shall take nothing; and that Plaintiff owes no other sums in this cause. -2IT IS FURTHER ORDERED that the Clerk of this Court shall promptly send an executed copy of this judgment to the Recorder of Kosciusko County; that said Recorder shall, pursuant to IC 8-13-2-12.3 and IC 8-13-22-1, record the transfer of the above-described real estate without payment of fee; and that said Recorder shall submit evidence of this recordation, by United States mail, to the Office of the Attorney General, 219 State House, Indianapolis, Indiana 46204.

Judge, Kosciusko CircuidgeCourt

Date: JML 2 1 1929

Copies to:

Lawrence R. Miedema Deputy Attorney General 219 State House Indianapolis, Indiana 46204

Rex L. Reed Rasor, Harris, Lemon & Reed P.O. Box 818 210 N. Buffalo Street Warsaw, IN 46580

Menno M. Schwartz Route 1, Box 75 Etna Green, IN 46524

Mary Schwartz Route 1, Box 75 Etna Green, IN 46524

Eldon Schwartz Route 1, Box 75 Etna Green, IN 46524

Ida Schwartz Route 1, Box 75 Etna Green, IN 46524

LRM/dls:6614I

Thurst Casused & sound

Duly Entered for Taxation Subject to Final Acceptance for Transfer this 15 mm

93-01-0657

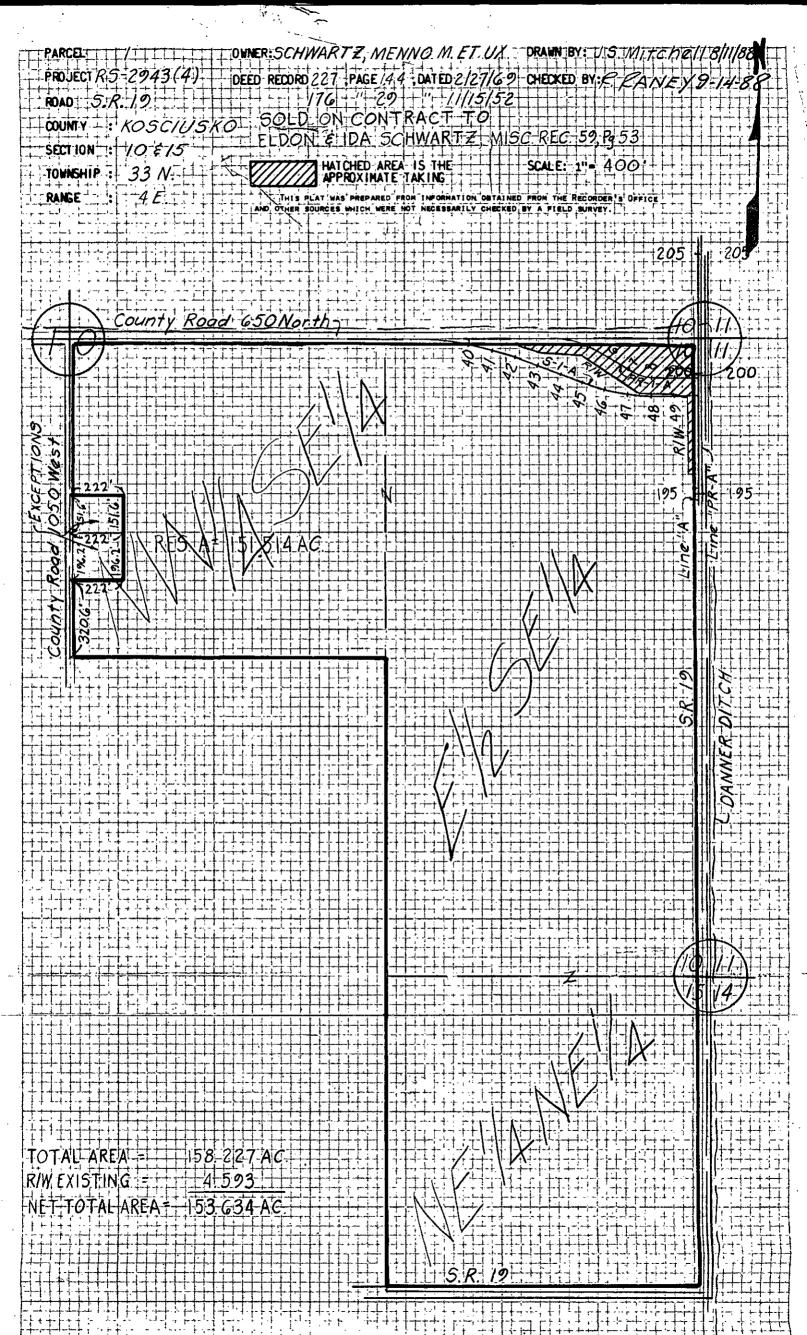
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# INDIANA DEPARTMENT OF TRANSPORTATION FINAL REPORT ON CONDEMNATION

STATE VS. Menno M. Schwartz, et al.
COURT KOSCIUSKO CITCUIT CAUSE NO. 43(01-8903-CP-168
county of real estate Koccius Ko project no: RS-2943 (4)
PARCEL NO: / ROAD: 5R 19 CODE: 2440
ORIGINAL OFFER: #5,500.00 COURT AWARD: #5,300,00
DATE DEPOSITED: 7-14-89 FINAL JUDGMENT AMOUNT #5,300.00
DATE: 7-21-89 ADDITIONAL FUNDS DEPOSITED
DATE: AMOUNT REFUNDED TO STATE:
DATE:
JUDGMENT - SETTLEMENT/JURY VERDICT:
DATE: 7-21-89
RECORDATION: 1-15-93 CERTIFICATION: 1-15-93
SETTLEMENT ANALYSIS/TRIAL REPORT Not required
SETTLEMENT ANALYSIS/TRIAL REPORT Not required



# **INDOT**

Acquisition Document

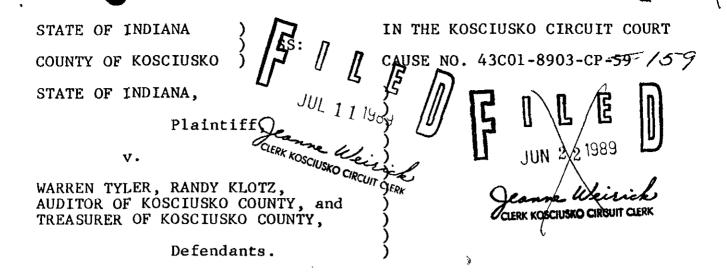
9DSE9

Scan Key **24402** 

LA Code 2440

Parcel No. 2

Owner TYLER, WARREN



### AGREED FINDING AND JUDGMENT

Comes now the plaintiff, State of Indiana, by Linley
E. Pearson, Attorney General of Indiana, and Helen H. Lucaitis,
Deputy Attorney General, and come now the defendant, Warren
Tyler, by his attorney of record herein, Frederick E.
Rakestraw, and defendants, Auditor and Treasurer of Ko'sciusko
County, by their attorney of record herein, Rex L. Reed and the
court being duly advised finds as follows:

1. That the plaintiff, State of Indiana, filed its complaint for the appropriation of the fee simple title to a portion of defendants' real estate on March 6, 1989, which complaint is in words and figures as follows:

(H.I.)

and the defendants were properly served with notice as provided by statute.

- 2. That the total value of the fee simple title of defendants' real estate taken and the damages to the remaining land of the defendants is Two Thousand Five Hundred Dollars (\$2,500.00), which sum includes any interest to which the defendants may be entitled, and that the defendant, Warren Tyler should recover from the plaintiff, State of Indiana, total damages in the sum of Two Thousand Five Hundred Dollars (\$2,500.00).
- 3. That defendants, Auditor of Kosciusko County and Treasurer of Kosciusko County, were properly served and have appeared and disclaimed any interest in the proceeds of this case.

Э,

4. That defendant, Randy Klotz was properly served but has not appeared by counsel, nor has he claimed any interest in the proceeds of this case.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the fee simple title of defendants' real estate described in plaintiff's complaint be, and the same are, appropriated, said fee simple title being more particularly described as follows:

A part of the Northwest Quarter of the Southwest Quarter, and a part of the West Half of the Northwest Quarter, all in Section 11, Township 33 North, Range 4 East, Kosciusko County, Indiana, described as follows: Beginning at a point on the north line of said Southwest Quarter Section North 89 degrees 20 minutes 34 seconds East 14.01 feet from the northwest corner of said Southwest Quarter Section, which point of beginning is on the East boundary of S.R. 19; thence North 0 degrees 54 minutes 00 seconds West 57.44 feet along the boundary of said S.R. 19 to the northeastern line of the owner's land; South 46 degrees 02 minutes 55 seconds East 81.80 feet along said northeastern line to the north line of said southwest quarter section; thence South 89 degrees 20 minutes 34 seconds West 42.49 feet along said north line; thence South 0 degrees 54 minutes 00 seconds East 444.74 feet; thence South 10 degrees 23 minutes 30 seconds West 122.37 feet to the east boundary of S.R. 19; thence North 1 degree 18 minutes 04 seconds West 220.01 feet along the boundary of said S.R. 19; thence North 1 degree 18 minutes 04 seconds West 300.01 feet along said boundary; thence North 89 degrees 06 minutes 00 seconds East 12.10 feet along said boundary; thence North 0 degrees 54 minutes 00 seconds West 44.81 feet along said boundary to the point of beginning and containing 0.329 acres, more or less.

A perpetual easement for the Relocation, Cleaning, Repairing, and General Maintenance of an existing legal ditch described as follows, to wit: A part of the Northwest Quarter of the Southwest Quarter of Section 11, Township 33 North, Range 4 East, Kosciusko County, Beginning at a point on the north line of said quarter Indiana, described as follows: section North 89 degrees 20 minutes 34 seconds East 29.51 feet from the northwest corner thence North 89 degrees 20 minutes 34 seconds East 108.00 feet of said quarter section; thence South 13 degrees 06 minutes 56 along the north line of said quarter section; seconds East 70.89 feet; thence South 0 degrees 54 minutes 00 seconds East 275.00 feet; thence South 4 degrees 53 minutes 00 seconds West 282.83 feet; thence South 89 degrees 06 minutes 00 seconds West 118.03 feet to the east boundary of S.R. 19; degree 18 minutes 04 seconds West 61.39 feet along the boundary of said S.R. 19; North 10 degrees 23 minutes 30 seconds East 122.37 feet; thence North 0 degrees 54 minutes 00 seconds West 444.74 feet to the point of beginning and containing 1.730 acres, more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant, Warren Tyler have and recover from the State of Indiana as final and total damages the sum of Two Thousand Five Hundred Dollars (\$2,500.00), which sum includes any interest to which the defendant may be entitled, and that

the Clerk of the Kosciusko Circuit Court pay said amount to the said defendant which amount equals the amount of this judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, State of Indiana, pay to the Clerk of the Kosciusko Court the sum of Two Thousand Five Hundred Dollars (\$2,500.00), which amount equals the amount of this judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that defendants, Auditor of Kosciusko County, shall take nothing in this cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that defendant, Randy Klotz is defaulted and shall take nothing in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this Court promptly transmit and executed copy of this Judgment to the Recorder of Kosciusko County and said Recorder of Kosciusko County is ORDERED to record the transfer of the real estate, the legal description of which appears above, appropriated by the State of Indiana; and pursuant to IC 8-13-2-12.3 and IC 8-13-22-1, said recordation is to be made without fee.

Said Recorder of Kosciusko County is further ORDERED to submit evidence of the recordation of said transfer of real estate by mailing said evidence to the Office of the Attorney General, 219 State House, Indianapolis, Indiana 46204.

APPROVED:

Attorney for Defendant Warren Tyler

Deputy Attorney General

Rex L. Reed

Attorney for Defendants, Auditor and Treasurer of

Kosciusko County

Judge, Kosciusko Circuit

Court

## Copies to:

Helen H. Lucaitis Deputy Attorney General 219 State House Indianapolis, Indiana 46204

Frederick E. Rakestraw BROWN, RAKESTRAW & KEHOE 227 E. 9th Street P.O. Box 524 Rochester, Indiana 46975

Rex L. Reed RASOR, HARRIS, LEMON & REED 210 N. Buffalo Street P.O. Box 818 Warsaw, Indiana 46580

### INDIANA DEPARTMENT OF TRANSPORTATION

## FINAL REPORT ON CONDEMNATION

STATE Vs. Warren Tyler, et al.
STATE VS. Warren Tyler, et al.  COURT Kosciusko Ciravit CAUSE NO. 43COl-8403-CP-159
COUNTY OF REAL ESTATE Kosciusko PROJECT NO: RS-2943 (4)
PARCEL NO: 5 ROAD: 5. R. 19 CODE: 2440
ORIGINAL OFFER: \$ 1,990. COURT AWARD:
DATE DEPOSITED: FINAL JUDGMENT AMOUNT \$\frac{\psi 2,500}{2}\$.
DATE: 7-1/-89 ADDITIONAL FUNDS DEPOSITED
DATE: AMOUNT REFUNDED TO STATE:
DATE:
JUDGMENT - SETTLEMENT/JURY VERDICT:  DATE: 7-(/-89
RECORDATION: 12-31-92 CERTIFICATION: 12-31-92
SETTLEMENT ANALYSIS/TRIAL REPORT 9/16/98

STATE OF INDIANA )	Project RS 2943 (4)
COUNTY OF Kosciusko ) SS	Road SR 19 Code 2440
Warren Wiler (Adult Mele)	I D A V I T
<u> </u>	my oath, hereby swear and affirm that I
have been known as and that I am one a C. Warren Tyler	
Further affiant sayeth not.	
	(Affiant's Signature)
	Warren Tyler (Affiant's Name Printed)
, -	and for said County and State personally
appeared Warren Tyler	, who acknowledged the
truth of the statements in the forego December , 19.88.  My County of Residence is:	ing arridavit on this <u>rear</u> day of
Hendricks	Theodou f-Empre Notary Public (Signature)
My Commission Expires:	
January 19, 1992	Theodore F. Elmore Notary Public (Printed Name)
This instrument was prepared by Theorem	dore F. Elmore

## AFFIDAVIT (SURVIVING SPOUSE)

STATE OF INDIANA ) COUNTY OF Kosciusko )	Project RS 2943 (4) Parcel #2 Code 2440
COUNTY OF	
I, Warren Tyler being duly sworn upon my oath, hereby I am the owner of the following descri	say that I am 60 years of age and that bed real estate located in Kosciusko
County, State of Indi	ana, to wit: mship 33 North, Range 4 East, Kosciusko
County, Indiana	
	<del></del>
Affiant further says that (he)	
of Corothy Tyler of Kosciusko Stat	, who died intestate in the County ce of Indiana , on March 20 Dece
Wt M	s affiant and the said decedent lived
<u> </u>	fe from the date of THNUHRY 24
19 <u>43</u> until the date of decedent's dedate, that no administration was had use that all funeral expenses, expenses of and character were fully paid, that no Estate Taxes or any other taxes which estate are due or payable on said estate.  The affiant makes this affidaviant	eath and were so living together on said apon the Estate of the said decedent, but the last illness and debts of every kind Indiana Inheritance Taxes or Federal might have been assessed against such ate or the assets distributed therefrom. It for the purpose of inducing the State grantor thereon conveying all or part of
	(Affiant's Signature) Warren Tyler
	(Affiant's Signature) "Carleir Tyler
1	
Hendricks	Theodore & Comore Notary Public (Signature)
My Commission Expires:	
January 19, 1992	Theodore F. Elmore
	Notary Public (Printed Name)
This instrument was prepared by Theod	ore F. Elmore

# **INDOT**

Acquisition Document

9DSE9

Scan Key **24403** 

LA Code 2440

Parcel No. 3

Owner KLOTZ, KENT L. ET UX.

RS2943 (4

39652	WAKK	ANIY	DEED	Code 24 Parcel 3	40 ½
This Indenture Witness				Clotz (Adı	ılts,
<u>Husband and Wif</u>	e) as Tenant	s in Commo	on		
of Kosciusko Cou					
in the STATE OF INDIANA for and	l in consideration o	of	red Sixty and	1 no/100 -	\$660.00)
the receipt whereof is hereby acknot County in the State of Indiana, to	wledged, the follow				Dollars Dollars
A part of the South North, Range 4 East, Ko southeast corner of said West 20.33 feet along the 37 seconds West 20.80 feet beginning is the interse County Road 650 North: along the boundary of sa seconds West 42.49 feet; thence North 0 degrees owners' land; thence North line to the west both East 444.08 feet along containing 0.582 acres, manufactured to the seconds were along containing 0.582 acres, manufactured to the seconds west 42.49 feet along containing 0.582 acres, manufactured to the seconds were along containing 0.582 acres, manufactured to the seconds were along containing 0.582 acres, manufactured to the seconds were along containing 0.582 acres, manufactured to the seconds were along the seco	e east line of to the point of the worth did County Road thence North 43 minutes 29 forth 88 degree andary of S.R. the boundary	r, Indiana, on; thence is said sective of beginnitest boundar a 89 degrees a 650 North; 89 degrees seconds Wes as 47 minute 19; the	described as fole North 1 degree on; thence Soung of this descript of S.R. 19 and 44 minutes 53 statement thence North 06 minutes 00 statement 398.88 feet to say seconds Easunce South 1 degree on the say seconds and seconds are seconds and seconds and seconds and seconds and seconds are seconds and seconds and seconds and seconds are seconds and seconds and seconds are seconds are seconds and seconds are seconds and seconds are seconds are seconds are seconds are seconds and seconds are seconds are seconds are seconds and seconds are second	llows: Come 26 minute of the 88 degrees of the north seconds Eas to the north st 37.28 feree 17 minutes.	mencing at the seasond sees 33 minute which point on the season of the s
Duly Entered for Taxation Subject to Final Acceptange for Transfer this 5th Day 19 29  Latinia a. Branch AUDITOR of KOSCIUSKO COUNTY	Paid by Wa	rrant No(	<u>046539</u> 1989	Settle of Sciusko County	RECEIVED FOR RECORD O'clock M. and Recorded in 10 Record 75 1989
Land and improvements \$ 660.0  The grantor shall clear and conbrances of any kind or character on It is understood between the p with the land, that all lands herein porary rights of way) are conveyed whatsoever are intended to remain	nvey free of all leas n, in and under said arties hereto, and t before described (d in fee simple and n in the grantor(s).	es, licenses, or of I land as convey heir successors excepting any p ot merely for ri	other interests both leg yed. in title, and made a arcels specifically des	gal and equitab covenant heres	ole, and all encum- in which shall run
In Witness Whereof, the	e said Glasscol	18th	day of Augu	st	1089
		(Seal)			(Seel

Interests in land acquired (Seal)

for State Highway by 9-7-88 saw

This Instrument Prepared by

Indiana Department of Highways 100 North Senate Avenue Indianapolis. IN 46204-2249



This Instrument Prepared by Juli K. Shields Attorney-At-Law

STATE OF	f Ind		•••••	***************************************	unty, ss:
	_		blic in and for said County and St		T-
			; personally a		
			Grantor		
		e	voluntary act and deed, for the us	ses and purposes herein mentic	-
		I have here	unto subscribed my name and affix	xed my official seal.	
My Com	mission exp	pires	***************************************		Notary Public
	_	77			
Before m	e, the under Augu	rsigned, a Notary Pub 181	plic in and for said County and Sta	ate, this 18TN	·
			, A. D. 19; personally a		
			. Klotz (Adults, Husb		
Com	ποι	thoir	Grantor.S	in the above convey	ance, and acknowl-
edged the	same to be	l have here	voluntary act and deed, for the us unto subscribed my name and affix	es and purposes herein mentic	ned.
My Com	mission ern	ires.Tanuary 14	1992 Thodon 7	- Company official section	Notany Public
my com	masion exp	west.man.y	Theodore F. Elm	ore of Hendricks C	Notary Fublic ounty Indiana
STATE OF	Indiana,	***************************************			-
			lic in and for said County and Sta		
			, A. D. 19; personally a		
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			Grantor		
			voluntary act and deed, for the us	•	-
		I have herei	unto subscribed my name and affix	ced my official seal.	
My Com.	mission exp	ires			Notary Public
				<del></del>	
The	undersigned	d, ow <mark>ner of a mor</mark> tgo	ge and/or lien on the land herei	in conveyed, hereby releases f	rom said mortgage
and/or lie	en said conv	eyed land, and does I	dereby consent to the payment of t	he consideration therefor as di	rected in this trans-
action, th	is	day o	of,	19	
			(Seal)		(Seal)
			(Seal)		(Seal)
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State of			)		
County of	f		sv:		
	·	-	,		
Pers	onally appe	ared before me			
			above named and duly a	acknowledged the execution of	f the chove release
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the	:	day of	, 19		
Witi	ness my har	nd and official seal.			
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RANGE : 33 N. SECTION : 10 ROAD NO. S.R. 19 PROJECT NO. RS-2943(4) PARCEL NO. 3 RIW EXISTING = NET TOTAL AREA = 123.930AC TOTAL AREA= County Road 650 North ST THE RES. A=123.348 AC OWNER: KLOTZ, KENT L. ET AL. DEED RECORD 301, PAGE 4/5, DATED 3/18/83 CHECKED BY: RANEY 9-14-88" "304" 215, "9/9/83 126.230 AC 2.300 HATCHED AREA IS THE APPROXIMATE TAKING 5. 10 AC NW 4 NE 4 WE SWENE E' SWANE & DRAWN BY: J.S. MITChell 8/18/88 SCALE: 1"= 400" 248.70° × DANNER DITCH \* SOLD OFF 652.95 655.58 R/W731 S.R. 19 Line "A" 464.33 C

2440

# INDOT

Acquisition Document

9DSE9

Scan Key **24405** 

LA Code 2440

Parcel No. 5

Owner YODER, GLENN R. ET UX.

31110

Indianapolis, IN 46204-2249

Project 2440 5 Code Parcel

- Variable County to the C	And of Indiana				
of Kosciusko County, in the S	•			_ Convey a	
the STATE OF INDIANA for and in consider					
the receipt whereof is hereby acknowledged, the County in the State of Indiana, to wit:	following described	Real Estate in	Koscius	ko	
A part of the Southeast Quart North, Range 4 East, Kosciusko Cosoutheast corner of said quarter seems west 464.33 feet (distance quoted said section to the southeast comminutes 37 seconds West 19.62 feet of beginning of this description, South 88 degrees 47 minutes 37 seconds West 91.13 feet; thence to the west boundary of S.R. 19; feet along the boundary of said sacres, more or less.	ounty, Indiana, section; thence from Deed Recorrer of the owner along the sout which point is onds West 37.28 thence South O	described as the North 1 de tot 306, page ers' land; the line of the on the west feet; thences 06 minute degrees 54 m	egree 26 mm e 40) along thence Source owners' boundary of the source of	Commendinutes of the east of S.R. degrees nds East seconds	cing at 23 second secon
Duly Entered for Taxation Subject to Final Acceptance for Transfer this 2  Day 19 89  Paid  Patricia a. Richard ST  AUDITOR of KOSCIUSKO COUNTY	by Warrant No	0687385 0687386 14 1989	<b></b>	Oze Ageoret 3 A and Cocared in	Return General Comments of the
Land and improvements \$510,00  The grantor shall clear and convey free of a brances of any kind or character on, in and und It is understood between the parties hereto, with the land, that all lands hereinbefore descri	all leases, licenses, or ler said land as conve , and their successors	other interests be tyed. in title, and ma	oth legal and de a covenar	equitable, a nt herein w	und all enc hich shall
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In Witness Whereof, the said Grahave hereunto set the i hands and seal on,		•	TANUA		0
have hereunto set circinands and seal oir,				· · · · · · · · · · · · · · · · · · ·	
Dlenn K. G. dw Glenn R. Yoder (Adult, Husbar	(Seal)	***********************	***************************************		
Glenn R. Yoder (Adult, Husbar	id) (Seal)		,	**************	(S
	(Seal)	*****************	·	*******	S
Kuly E. Jodec	(Seal)(Seal)		***************************************	***********	

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rate of Indiana, <u>Kos</u>	ciusko								Cou	ntv. ss:
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Glenn R. Yoder	•									
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TATE OF INDIANA,efore me, the undersigne										
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2440

PARCEL

5

OWNER: YODER, GLENN RET UX. DRAWN BY: J.S. MITCHELL 8/17/88 DEED RECORD 306, PAGE 40, DATED 7/26/84 CHECKED BY: RANEY 9-14-88

**PROJECT** 

RS-2943(4)

S.R. 19

COUNTY

ROAD

: KOSCIUSKO

SECTION : 10

TOWNSHIP: 33 N.

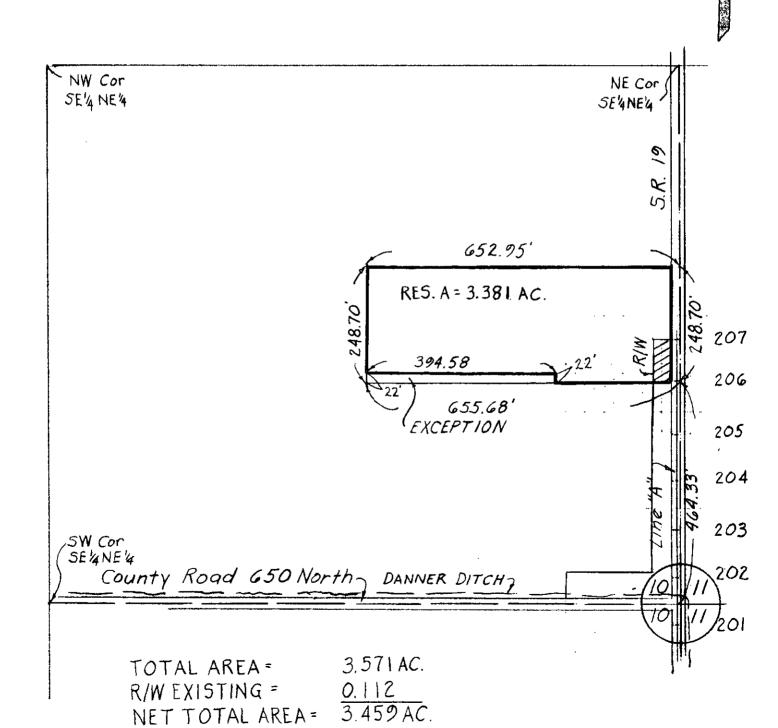
RANGE

4 E.

HATCHED AREA IS THE APPROXIMATE TAKING

SCALE: 1"= 200'

PLAT WAS PREPARED FROM INFORMATION OBTAINED FROM THE RECORDER'S OFFICE SOURCES WHICH WERE NOT NECESSARILY CHECKED BY A FIELD SURVEY.



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Project	RS 943	(4)
Parcel	#5	
Code	2440	

## PARTIAL RELEASE OF MORTGAGE

This is to certify that a certain mortgage executed by
Glenn R. Yoder and Ruby E. Yoder , toTHE ETNA BANK-NOW AN OFFICE OF FNB OF WARSA (Mortgager)
dated July 27 , in the sum of \$30,000.00 recorded in
mortgage record 256 , page 445 of the records of
Kosciusko County, Indiana is hereby released upon the following de-
scribed real estate in Kosciusko 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 THE ETNA BANK-NOW AN OFFICE OF FNB OF WARSAW (Mortgagee)
has caused this partial release of mortgage to be signed by its VICE PRESIDENT
and its seal attached thereto this 13th day of January , 1989 .
RECEIVED FOR RECORD  Palacian Roterial Podo  BY:  THE ETNA BANK NOW AN OFFICE OF FING OF MORE RECORD  (Mortgagee) WARSAW  (Signature)  LULLARD W. Noullais  (Printed Name and Title)  State of Indiana  SS:
County of Kosciusko
Before me, the undersigned, a Notary Public in and for said County and
State, personally appeared <u>RICHARD W. SNODGRASS</u> , known to
me to be the <u>VICE PRESIDENT</u> of the <u>ETNA BANK-NOW AN OFFICE OF FNB OF WARSAW</u> , (Mortgagee)
and acknowledged the execution of the above partial release of mortgage as
and for the act and deed of the said <u>ETNA RANK-NOW AN OFFICE OF FNB OF WARSAW</u> • (Mortgagee)
Witness my hand and notarial seal this 13th day of January 1989.
My commission expires January 4th, 1991  Novary Public (Signature)
My County of residence is Kosciusko Jennifer L. Stouder Notary Public (Printed Name)
This Instrument Prepared
BY: Theodore F. Elmore

Project	RS 343(4)
Parcel_	<u>и</u> е
Code	2440

## PARTIAL RELEASE OF MORTGAGE

This is to certify that a certain mortgage executed by
Glenn R. Voder and Ruby E. Voder , to Duane Rogers, Contract Holder , (Mortgagee)
dated July 27, 1984, in the sum of \$ recorded in
mortgage record not recorded , page of the records of
County, Indiana is hereby released upon the following de-
scribed real estate in <u>Kosciusko</u> 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 <u>Duane Rogers, Contract Holder</u> (Mortgagee)
has caused this partial release of mortgage to be signed by its ConTRACT Holde
and its seal attached thereto this 19 day of TAMUARY, 1981.
Contract Holder  (Mortgagee)  BY: Dure Pollo  (Signature)  Duane Rogers Contract Holder  (Printed Name and Title)
State ofIndiana) SS: County of Kosciusko_)
Before me, the undersigned, a Notary Public in and for said County and
State personally appeared <u>Duane Rogers</u> , known to
me to be the Holder of the Contract (Mortgagee)
and acknowledged the execution of the above partial release of mortgage as
and for the act and deed of the said <u>Duane Rogers - Contract Holder</u>
(Mortgagee)
Witness my hand and notarial seal this 19 day of JANUARY, 1989.
My commission expires January 19, 1992    This elevit - Compute Notary Public (Signature)
My County of residence is Hendricks Theodore F. Elmore Notary Public (Printed Name)
This Instrument Prepared
BY: Theodore F. Elmore

# **INDOT**

Acquisition Document

9DSE9

Scan Key **24404** 

LA Code 2440

Parcel No. 4

Owner SCHWARTZ, JOHN L.ET UX.

### LAE 121

## NARRANTY DEED

Project Code **Parcel** 

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239	43(4)
2440	* // :
4	24

This Indenture Witnesseth, That John Lamar Schwartz and Clara June (Adults, Husband and Wife) County, in the State of \_\_Indiana Kosciusko the STATE OF INDIANA for and in consideration of Two Thousand Nine Hundred Eighty Two and (\$2.982.00)Dollars. the receipt whereof is hereby acknowledged, the following described Real Estate in Kosciusko County in the State of Indiana, to wit: part of the West Half of the Northwest Quarter of Section 11, Township 33 North,

Range 4 East, Kosciusko County, Indiana, described as follows: Beginning at a point on the south line of said quarter section North 89 degrees 20 minutes 34 seconds East 72/.00 feet (distance quoted from Deed Record 263, page 67) from the southwest corner of said quarter section, which point is also the south corner of the owners' land; thence North 46 degrees 02 minutes 55 seconds West 81.80 feet along the southwestern line of the owners' thence North 1 degree 19 minutes 56 seconds West land to the east boundary of S.R. 19; 397.76 feet along the east boundary of said S.R. 19; thence North O degrees 54 minutes 00 100.00 feet along said boundary; thence South 15 degrees 44 minutes 32 seconds East 103.45 feet; thence South 0 degrees 54 minutes 00 seconds East 300.00 feet; thence North 89 degrees 06 minutes 00 seconds East 15.00 feet; thence South 70 degrees 55 minutes 01 second East 117.05 feet; thence South 45 degrees 54 minutes 00 seconds East 70.71 feet; thence South 0 degrees 54 minutes 00 seconds East 66.03 feet to the south line thence South 89 degrees 20 minutes 34 seconds West 140.51 feet of said quarter section; along said south line to the point of beginning and containing 0.752 acres, more or less.

**Duly Entered for Taxation** Subject to Final Acceptance for Transfer this 28th Day March 19

AUDITOR of KOSCIUSKO COUNTY

Paid by Warrant No.



Land and improvements \$750.00 Damages \$2,232.00 Total consideration \$2,982.00

Dated

The grantor shall clear and convey free of all leases, licenses, or other interests both legal and equitable, and all encumbrances of any kind or character on, in and under said land as conveyed.

It is understood between the parties hereto, and their successors in title, and made a covenant herein which shall run with the land, that all lands hereinbefore described (excepting any parcels specifically designated as easements or as temporary rights of way) are conveyed in fee simple and not merely for right of way purposes, and that no reversionary rights whatsoever are intended to remain in the grantor(s).

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In Wi	tness Whereof, the said Gran	tors		
ha <u>V</u> hereunto s	et $\underline{thei}$ hand $\underline{s}$ and $\underline{seal}$ $\underline{on}$ , $\underline{t}$	his	day of JANUARY	19 89
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State Form 17880	for State Highway by		red by Dennis K. McKin	
-88saw	Indiana Department of High	hways	Attorney-at-La	W

100 North Senate Avenue Indianapolis, IN 46204-2249

STATE O	F IND	<b>\$</b>	•••••••••••••••••••••••••••••••••••••••	***************************************	unty, ss:
Before n	ne, the und	lersigned, a Notary Pi	ublic in and for said County and Si	tate, this	
			, A. D. 19; personally		
			Grantor		
edged the	e same to	be	voluntary act and deed, for the ureunto subscribed my name and affi.	ses and purposes herein mei xed my official seal	ntioned.
My Com	ımission e.			* **	Notary Publ
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			ublic in and for said County and St		
			, A. D. 19.89; personally o		
Johnl	Lamar	schwärtz and	Clara June Schwartz (	Adults. Husband a	nd Wife)
			Grantor S	in the above conv	eyance, and acknow
edged the	same la	be their	voluntary act and deed, for the useunto subscribed my name and affi	ses and purposes herein mer	ntioned.
Mv Com	mission e	enires January 1	9, 1992 Theodore t	- Trivel	Notan: Publ
wiy com		and the second	Theodore F. E	lmore of Hendrick	s County
STATE OF			***************************************	•••••••	County, ss:
	· · · ·	200 T 3 9 T 1	ublic in and for said County and St		
day of		·	, A. D. 19; personally a	appeared the within named	••••••••
			•••••		
		***************************************	Grantor	in the above conv	eyance, and acknow
edged the	same to	be	voluntary act and deed, for the us	ses and purposes herein mer	ıtioned.
M. C.			eunto subscribed my name and affix		N . D .
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	^ <b>_</b>				
			gage and/or lien on the land here hereby consent to the payment of t		
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action, th	iis	day	of,	, <b>19</b>	
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ndiana Department of Highways
100 North Senate Avenue
Indianannlia IM 15204-2249



PROJECT RS 2943 (4)  ROAD 5!R. 19  COUNTY: KOSCIUSY  SECTION:     TOWNSHIP: 33 N.  RANGE: 4 E	HAT CHED AREA IS APPROXIMATE TAN	THE	SCALE: 1"	ADO	Y. 8.2	29-88
3 . 2	AND OTHER SOURCES WHICH WERE NOT	NE Cor	OF EXCEPT 10	20 Rods		
S.R. 19	RES. A=112.255AC.					
LINE "A"	" <i>FK-A</i> "		£ 2 NW		+ + + + + + + + + + + + + + + + + + + +	
County 72'8 Road 650 North	205	SE Cor WZNW4				
200	EXCEPTION		AREA = ISTING = TAL AREA	114	.940 .933 .007	) AC.

State form 38981 R 11/88 STATE OF INDIANA Project )SS: Parcel COUNTY OF Kosciusko Code "I AM THE SAME" AFFIDAVIT I, Clara June Schwartz , the undersigned affiant, being duly sworn upon my oath, hereby swear and affirm that I have been known as and that I am one and the same person as Clara J. Schwartz Further affiant sayeth not. Clara June Schwartz (Affiant's Name Printed) Before me, a Notary Public in and for said County and State personally appeared Clara June Schwartz who acknowledged the truth of the statements in the foregoing affidavit on this 20th day of December Theodore F. Elmore Notary Public (Printed Name) My Commission expires January 19, 1992 My County of Residence is Hendricks

This instrument was prepared by Theodore F. Elmore

State form 38981 R 11/88 STATE OF INDIANA Project )SS: Parcel COUNTY OF Kosciusko Code "I AM THE SAME" AFFIDAVIT I, John Lamar Schwartz \_\_\_\_, the undersigned affiant, being duly sworn upon my oath, hereby swear and affirm that I have been known as and that I am one and the same person as John L. Schwartz Further affiant sayeth not. John Lamar Schwartz (Affiant's Name Printed) Before me, a Notary Public in and for said County and State personally appeared John Lamar Schwartz who acknowledged the truth of the statements in the foregoing affidavit on this 20th day of December , 19 88 . Theodore F. Elmore Notary Public (Printed Name) My Commission expires January 19, 1992 My County of Residence is Hendricks

This instrument was prepared by Theodore F. Elmore

Project RS 2943 (4) Parcel #4 Code 2440

4-665 (7-7-88) (Ohio-Ind-Ky) Replaces 4-665 (7-88) Formerly FLB 1-282

### PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That the FARM CREDIT BANK OF (formerly Federal Land Bank of Louisville)

LOUISVILLE, a corporation organized under the laws of the United States of America, with its principal office and place of business in Louisville, Kentucky, for and in the consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration the receipt of which is hereby acknowledged, hereby releases from the lien of a certain mortgage executed by John Lamar Schwartz, a/k/a John L. Schwartz, and Clara June Schwartz, a/k/a/ Clara J. Schwartz, husband and wife to the Farm Credit Bank of Louisville, dated the 22nd day of Apirl ,

19 81, and recorded in Volume 246 at page(s) 384of the mortgage records of Kosciusko County, Indiana , that part of the property described therein situated in said county and state which is bounded and described as follows:

A part of the West Half of the Northwest Quarter of Section 11, Township 33 North, Range 4 East, Kosciusko County, Indiana, described as follows: Beginning at a point on the south line of said quarter section North 89 degrees 20 minutes 34 seconds East 72.00 feet (distance quoted from Deed Record 263, page 67) from the southwest corner of said quarter section, which point is also the south corner of the owners' land; thence North 46 degrees 02 minutes 55 seconds West 81.80 feet along the southwestern line of the owners' land to the east boundary of S.R. 19; thence North I degree 19 minutes 56 seconds West 397.76 feet along the east boundary of said S.R. 19; thence North O degrees 54 minutes 00 seconds West 100.00 feet along said boundary; thence South 15 degrees 44 minutes 32 seconds East 103.45 feet; thence South O degrees 54 minutes 00 seconds East 300.00 feet; thence North 89 degrees 06 minutes 00 seconds East 15.00 feet; thence South 70 degrees 55 minutes 01 second East 117.05 feet; thence South 45 degrees 54 minutes 00 seconds East 70.71 feet; thence South O degrees 54 minutes 00 seconds East 66.03 feet to the south line of said quarter section; thence South 89 degrees 20 minutes 34 seconds West 140.51 feet along said south line to the point of beginning and containing 0.752 acres, more or less.

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Provided, however, that this release shall not be construed to waive or in any manner affect or invalidate the lien of the mortgage to the Farm Credit Bank of Louisville upon the remaining portion of the property described in said mortgage.

IN WITNESS WHEREOF, the Farm Credit Bank of Louisville has hereunto

caused its corporate name to be subscribed by its duly appointed attorney-in-fact on January 27, 1989 Federal Land Bank of Louisville Now known as: FARM CREDIT BANK OF LOUISVILLE BY: FEDERAL LAND BANK ASSOCIATION OF THE FOURTH DISTRICT Attorney-in-fact under power (For Ohio Use Only) recorded in Miscellaneous WITNESS: Book <u>78</u> at Page <u>435</u> MHO **CO** Everett Nifong, Branch Manager '0P SS: COUNTY OF KOSCIUSKO \_, A Notary Public in and Ι, Yevonne Shenefield for the State and County aforesaid, do certify that on me appeared Everett Nifong to me persona ertify that on <u>Jan. 27, 1989</u> before to me personally known, and who, being by me, duly sworn, did say that he is the Branch Manager of the , a corporation; Federal Land Bank Association of the Fourth District, a corporation; that said instrument was signed by him for and on behalf of said corporation acting as attorney-in-fact for the Farm Credit Bank of Louisville; and acknowledged said instrument to be his free act and deed as such officer or employee, the free and corporate act and deed of said association as such attorney-in-fact, and the free and corporate act and deed of the Farm Credit Bank of Louisville. IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal in the State and County aforesaid on the date last above written. Notary Pub Yevonne Shenefield

This instrument was prepared by the Farm Credit Bank of Louisville, a corporation, by Richard Myers, its Senior Attorney, 201 West Main St., Louisville, Kentucky.

My Commission expires: \_\_\_5/11/92

County of Residence: Kosciusko