

STATE HIGHWAY DEPARTMENT OF INDIANA
STATE USE ANNEX
INDIANAPOLIS 9, INDIANA

FUND. F I
PROJECT No. 69
SECTION (28)
STR. No. _____

RIGHT OF WAY GRANT

Robert Shirer & Ruth Ann Shirer *PARCEL 6*

This indenture witnesseth that the undersigned, as grantors and sole owners of land in Newton County, Indiana, more definitely described below, through, over and upon which will pass a public highway which it is proposed by the State of Indiana to improve, hereby grant, bargain, warrant and convey to the State of Indiana, for Right of Way, lands as described below and located by surveys and shown on plans on file in the office of the State Highway Department of Indiana. The description from said plans of said right of way hereby granted is as follows:

(NAME) U.S. 41 ROAD, FROM Kentland, Ind. TO Schneider, Ind.
PLANS ON SR. No. 41 SEC. _____, F I PROJ. No. 69 SEC. (28) DATED 1953
SEC. 27, T. 29 N, R. 9 W 4.95 ACRES, MORE OR LESS, ACQUIRED

Descriptions are of parcels of land lying between the plan centerline and the plan right of way line on the above designated project.

Measured distances along plan centerline are indicated by Station Number and plus.

Widths of parcels are indicated in feet, measured at a right angle from plan centerline at designated Station Number and plus; however, when Station Number and plus is followed by the letters P.L.; F.L.; F.D.; L.L. or C/L.S. (indicating property line, Fence Line, Field Division, Lot Line and Centerline of Stream respectively) or other identifying notations, it shall mean that the boundary line follows said identified line from plan centerline to plan right of way line.

FROM STATION to STATION	LEFT SIDE OF CENTERLINE	RIGHT SIDE OF CENTERLINE
ON CENTERLINE (C/L) <u>B</u>		
<u>1046+85 PL to 1059+12 PL</u>	<u>PL</u> feet	<u>87</u> feet
to	feet	feet
to	feet	feet
to	feet	feet
<u>ALL DITCHES & TILE LINES IN R/W</u>	feet	feet
<u>TO BE REPLACED & HOOKED</u>	feet	feet
<u>UP TO OUTLETS</u>	feet	feet

The above and foregoing grant is made in consideration of payment of the sum of Eighteen Hundred Seventy Five Dollars (\$ 1875⁰⁰),

which sum shall be paid to the order of

NAME Wm HARVEY GODDARD

ADDRESS MOROCCO INDIANA

It is further understood and agreed that this conveyance transfers only the right to make, construct and maintain such highway on said lands and to use any material lying within the above described limits suitable for use in constructing and maintaining said highway and does not convey any rights to any minerals or other substances underneath the surface, except as it may be used for the construction or maintenance of such improved highways.

Any and all timber, shrubbery, fences, buildings and all other physical improvements on the above granted right of way, not specifically reserved by special provision stated above, shall become the property of the State of Indiana.

When, by special provisions as stated above, any trees and/or shrubs are to be left standing on said right of way, it is mutually agreed and understood by grantor and grantee, that such special provision is only for such period as the excepted trees and/or shrubs shall not constitute an obstruction to future construction or hazard to power lines or traffic as shall be determined from time to time by the State Highway Department of Indiana through its authorized representatives.

It is understood and agreed that all provisions of this grant are stated above and that no verbal agreements or promises are binding.

It is also mutually agreed by grantor and grantee that this is a permanent easement for Highway purposes and shall be binding until specifically vacated by resolution by the State Highway Department of Indiana.

The undersigned Grantors

being duly sworn, says that he, she (is) or they (are) the sole owner(s) of the above described property, and said grantors further represent that there are no encumbrances, leases, liens or options of any kind or character on said lands as conveyed, except as shown below, and that they make this representation for the purpose of inducing the State Highway Department of Indiana to pay them the amount herein stipulated.

Mortgagee: NONE

This grant is to be and become effective and binding from and after its approval by the Chairman of the State Highway Department of Indiana.

Wm. Harvey Goddard (Grantor) *Wm. Harvey Goddard*
by Robert Shirer (Guardian) *Robert Shirer*
Ruth Ann Shirer (Grantor) *Ruth Ann Shirer*

FILED

JUN 12 1954

(Grantor)

JOHN M. CONNELL (Grantor)

County Auditor

(Grantor)

Dated MARCH 3, 1954

CHECKED WITH PROJECT
PLANS DATED _____
BY _____

AMOUNT APR 21 54
APPROVED
BY Nile Leverage

THE ABOVE GRANT IS HEREBY ACCEPTED.
STATE OF INDIANA
BY Albert J. Wedeking
Chairman, STATE HIGHWAY DEPARTMENT OF INDIANA
DATE 5/7 1957

DESCRIPTION APR 2 1954
& FORM OK'D
BY S. C. Skaritsas

PAID BY
WARRANT No. A532731
DATED 5/17/1954

T-11
D-11
APR 2 1954

State of Indiana, County of NEWTON
Personally appeared before me ROBERT SHIRER & RUTH ANN SHIRER, H&W (GUARDIANS)
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the
facts therein are true, this 3rd day of MARCH, 1954

Witness my hand and official seal.
My Commission expires Dec. 15, 1957

FRANK C. KONNERSMAN
Notary Public
FRANK C. KONNERSMAN
DECATUR COUNTY
Frank C. Konnersman

State of Indiana, County of _____
Personally appeared before me _____
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the
facts therein are true, this _____ day of _____, 19____

Witness my hand and official seal.
My Commission expires _____

State of Indiana, County of _____
Personally appeared before me _____
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the
facts therein are true, this _____ day of _____, 19____

Witness my hand and official seal.
My Commission expires _____

State of Indiana, County of _____
Personally appeared before me _____
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the
facts therein are true, this _____ day of _____, 19____

Witness my hand and official seal.
My Commission expires _____

State of Indiana, County of _____
Personally appeared before me _____
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the
facts therein are true, this _____ day of _____, 19____

Witness my hand and official seal.
My Commission expires _____

The undersigned owner of a mortgage and/or lien on the land of which the right of way described
in the attached grant, is conveyed, hereby releases from said mortgage and/or lien said granted right of
way, and do hereby consent to the payment of the consideration therefor as directed in said grant, this
_____ day of _____, 19____

RECEIVED FOR RECORD
At 8:30 o'clock A.M. Recorded
In _____ Record No. _____ Page _____
JUN 12 1954
CLARICE HUFTY
Recorder, Newton County, Indiana

State of _____
County of _____
Personally appeared before me _____
above named and duly acknowledged the execution of the above
release the _____ day of _____, 19____

Witness my hand and official seal.
My Commission expires _____

Notary Public. _____

STATE HIGHWAY COMMISSION OF INDIANA
3rd FLOOR STATE HOUSE ANNEX
INDIANAPOLIS, INDIANA

May 18, 19 54

To Wm. Harvey Goddard
Morocco, Indiana

GENTLEMEN:

We enclose State Warrant No A532781 May 17, 19 54
in settlement of the following vouchers:

DESCRIPTION	AMOUNT	
For the purchase of Right of Way on State Road No. U.S. 41 in Newton County FI Project 69 Section 28 as per Grant dated March 3, 1954	1,875	00

PLEASE RECEIPT AND RETURN

Yours truly,
Wm Harvey Goddard

CONTROLLER

Received Payment: *Robert Shirer* 19

State of Indiana }
County of Newton) ss:

In the Newton Circuit Court
January Term 1954

In the Matter of the
Guardianship of
William Harvey Goddard,
an incompetent person

Guardianship No. 738

TO THE HONORABLE JUDGE OF SAID COURT

PETITION TO GRANT EASEMENT

Comes now Robert L. Shirer, guardian of William Harvey Goddard, an incompetent person, and after being first duly sworn upon his oath represents to the Court that his said ward William Harvey Goddard is the owner in fee simple of a part of the East one-half (E½) of the Southeast Quarter (SE¼) of Section 27, Township 29 North, Range 9 West of the Second Principal Meridian in Newton County, Indiana. That the State Highway Department of Indiana proposes to build a public state highway upon and across the premises owned by said ward, the plans and specifications of which said proposed highway are now on file in the office of the State Highway Department of Indiana.

That said proposed new highway will be situated upon the following described premises owned by the said William Harvey Goddard to-wit: A part of the East one-half (E½) of the Southeast Quarter (SE¼) of Section 27, Township 29 North, Range 9 West of the Second Principal Meridian, Newton County, Indiana described as follows: commencing at a point 412½ feet North of the Southwest (SW) corner of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of said Section 27, and running thence North a distance of 1246 feet, thence East 173 feet; thence South 1246 feet; and thence West 176 feet to the point of beginning, containing 4.95 acres more or less.

This petitioner respectfully represents to the Court that the State Highway Department of Indiana has offered him the sum of \$1875.00 for an easement across the property herein described. That the said guardian believes that this is the best offer which can be obtained and believes that it would be to the best interests of his said ward if said easement were granted for and in consideration of said sum of \$1875.00.

Wherefore your petitioner respectfully prays that he be authorized by this Honorable Court to execute an easement across the property herein described in favor of the State Highway Department of Indiana for and in behalf of the said William Harvey Goddard.

Robert L. Shirer
Robert L. Shirer

Subscribed and sworn to in my presence this 18th day of March, 1954.

Mary Wiltfang
Mary Wiltfang, Notary Public

My Commission expires 1/19/57

State of Indiana)
County of Newton) ss:

In the Newton Circuit Court
January Term 1954

In the Matter of the
Guardianship of
William Harvey Goddard,
an incompetent person

Guardianship No. 738

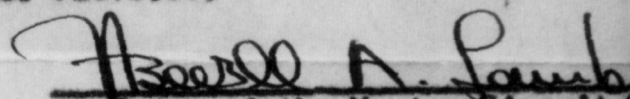
TO THE HONORABLE JUDGE OF SAID COURT

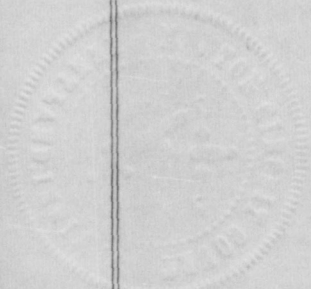
ORDER AUTHORIZING GUARDIAN TO GRANT EASEMENT

Comes now Robert L. Shirer, guardian of William Harvey Goddard, an incompetent person, and presents to the Court his verified petition seeking authority to grant the State Highway Department of Indiana an easement upon the following described real estate owned by said ward in Newton County, Indiana and described as follows: A part of the East one-half (E½) of the Southeast Quarter (SE¼) of Section 27, Township 29 North, Range 9 West of the Second Principal Meridian, Newton County, Indiana described as follows: commencing at a point 412½ feet North of the Southwest (SW) corner of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of said Section 27, and running thence North a distance of 1246 feet, thence East 173 feet; thence South 1246 feet; and thence West 176 feet to the point of beginning, containing 4.95 acres more or less. Said verified petition reads and is as follows: (Here Insert)

And the Court having seen and inspected said verified petition, and after being duly advised in the premises, finds that the prayer thereof should be granted.

It is therefore considered and adjudged by the Court that said Robert L. Shirer be, and he hereby is, authorized to grant the State Highway Department of Indiana an easement on said premises for and in consideration of the sum of \$1875.00.


Judge of the Newton Circuit Court



TITLE AND ENCUMBRANCE REPORT



RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S.R. 45.44 PROJ. PT 69 SEC. (28) Beaver TWP. Newton CO.

Name on Plans William H. Kusler

Name in Trans. Book Robert Shirer & Ruth Ann Shirer, Trustees.

DESCRIPTION OR ADDITION	SEC.	TWP.	RGE.	ACREAGE	ASSESSED VAL.	
	BLK.	LOT	LOT	TOWN	LAND	IMP.
<u>pt of 1/2 S.E.</u>	<u>27</u>	<u>29N</u>	<u>5W</u>	<u>39.54</u>	<u>2190</u>	

Will DEED RECORD: _____
 DEED RECORD 6 P. 457 & 461 Recorded 4-16-1952 Will Deed.

To Robert Shirer and Ruth Ann Shirer H.G.W. as Trustees
 From Wm. H. Keesley
 Subject to _____

DEED RECORD 70 P. 174 Recorded 5-7-1937 Commissioner Deed.
 To William H. Kusler

From Hume L. Sammons, Commissioner
 Subject to _____

DEED RECORD 82 P. 19 Recorded 2-19-1951 Quit-claim Deed.

To William H. Kusler
 From Fabrikant steel products, Inc. Family Dillion Steel Products, Inc.
 Subject to _____

MORTGAGE RECORD:

MORTGAGE RECORD _____ P. _____ Amount _____ Date _____

Mortgagor _____
 Mortgagee _____
 Street Address _____ City _____ State _____ County _____

MORTGAGE RECORD _____ P. _____ Amount _____ Date _____

Mortgagor _____
 Mortgagee _____
 Street Address _____ City _____ State _____ County _____

JUDGMENT RECORD:

JUDGMENT DOCKET _____ P. _____ Amount _____ Rendered _____

Judg. Defendant _____ Cause No. _____
 Judg. Plaintiff _____ O. B. _____ P. _____

MISCELLANEOUS RECORD:

Record _____ P. _____ Amount _____ Date _____

TAXES:

TAXES PAID Taxes Delinquent Year _____ Amount _____

(See reverse of sheet for deed description, mortgage description, explanations, etc.)

Title checked by Morris Lengua Jr Date 2-18-1954

James J. Dammere, Commissioner appointed by Justice
Circuit Court, of Justice County, State of Indiana,
in case pending therein entitled "George W. Chapin vs.
Lillie Langfisher, et al," and number 9600 on the
docket to them, pursuant to the order of said Court
and said case made, entered in order Book no. 38 p. 462

of the record thereof.

A part of the east half of the S. E. 1/4 of section
27, Twp. 29 N, Range 9 west

commencing at the southeast corner of said
Sec 27, thence north on Sec. line a distance of

16.50 feet; thence west 1320 feet to the 1/4 mile line;

thence south 324.9 feet to a point where the 1/4
mile line intersects the east line of the Right of way

of the Chicago Indiana and Coal Railway Company, thence in a
southerly direction, following said right of way to a point

on the line 322.7 feet west of the S. E. corner of said section,
thence east on the section line 322.7 feet to a point of beginning,

containing 35.89 acres more or less.

part of the S. E. 1/4 of the Sec. 1/4 of section 27 Sup. 29 N.

Range 9 west. To wit: commencing at a point on the railroad

right of way of the Chicago, Ottawa & Southern Railroad 502
feet northwesterly from north line of sec 27; thence

thence northwesterly a distance of 1018 feet more or less
to nearest corner of said lands east 1/4 of S. E. 1/4. Containing

154 acres more or less, a strip being a width of 166 feet.

TITLE AND ENCUMBRANCE REPORT



RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S.R. 4541 PROJ. L. 69 SEC. (28) Beaver TWP. Newton CO.

Name on Plans William H. Kusler

Name in Trans. Book Robert Shiner and Ruth Ann Shiner (Trustees)

DESCRIPTION OR ADDITION	SEC.	TWP.	RGE.	ACREAGE	ASSESSED VAL.	
	BLK.	LOT	LOT	TOWN	LAND	IMP.

DEED RECORD: _____
 DEED RECORD 81 P. 25 Recorded 2-7-1950 W4C. Deed.
 To William H. Kusler
 From George L. Crudden and Edith L. Crudden
 Subject to _____

DEED RECORD _____ P. _____ Recorded _____ Deed.
 To _____
 From _____
 Subject to _____

DEED RECORD _____ P. _____ Recorded _____ Deed.
 To _____
 From _____
 Subject to _____

MORTGAGE RECORD: _____
 MORTGAGE RECORD _____ P. _____ Amount _____ Date _____
 Mortgagor _____
 Mortgagee _____
 Street Address _____ City _____ State _____ County _____

MORTGAGE RECORD _____ P. _____ Amount _____ Date _____
 Mortgagor _____
 Mortgagee _____
 Street Address _____ City _____ State _____ County _____

JUDGMENT RECORD: _____
 JUDGMENT DOCKET _____ P. _____ Amount _____ Rendered _____
 Judg. Defendant _____ Cause No. _____
 Judg. Plaintiff _____ O. B. _____ P. _____

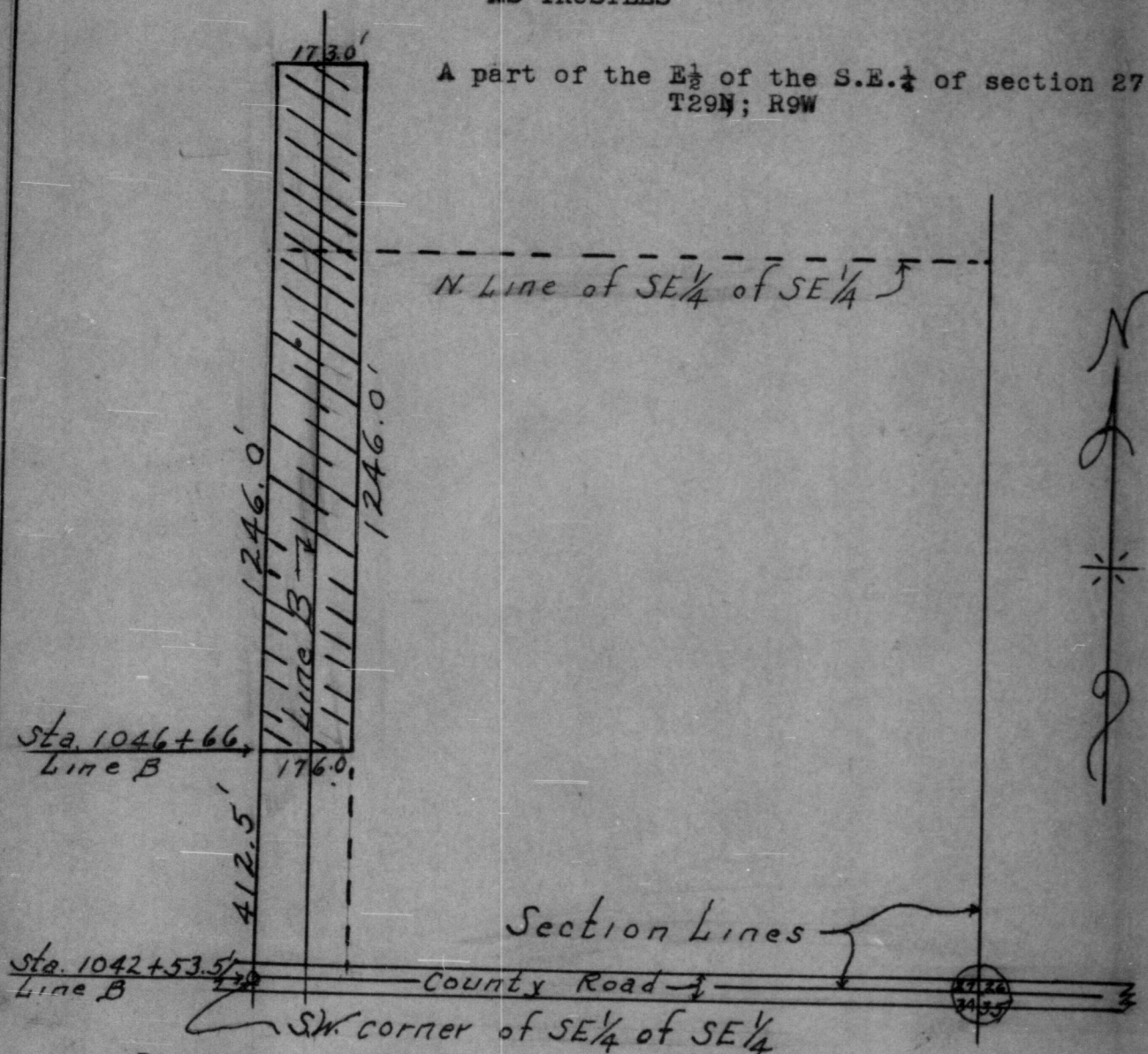
MISCELLANEOUS RECORD: _____
 Record _____ P. _____ Amount _____ Date _____

TAXES:
 TAXES PAID _____ Taxes Delinquent Year _____ Amount _____
 (See reverse of sheet for deed description, mortgage description, explanations, etc.)
 Title checked by _____ Date _____

A part of the S.E. 1/4 of the S.E. 1/4 of Section 27
 Twp. 29 N. Range, 9 West, divided as follows: Commencing
 at a point 412.50 feet north of the southeast corner of
 the S.E. 1/4 of the S.E. 1/4 of said Section (27) and
 running thence north 92.4 feet; thence in a curve
 easterly diverging along the right-of-way of the
 C. H. & S. railroad a distance of 983 feet; thence
 west 569 1/2 feet to the point of beginning;

ROBERT SHIRER & RUTH ANN SHIRER
AS TRUSTEES

A part of the $E\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of section 27;
T29N; R9W



Described as follows:

A part of the $E\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Sec. 27;
T29N; R9W, described as follows: Commencing at a point 412.5 ft.
north of the S.W. corner of the S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of said
section 27 and running thence north a distance of 1246.0 ft.;
thence east 173.0 ft., thence south 1246.0 ft., thence west
176.0 ft. to the point of beginning.

Merl J. Ford
Professional Engineer No. 2960

3-15-54

STATE HIGHWAY COMMISSION OF INDIANA

RIGHT OF WAY REPORT

F.I. Proj. 69 Sec. (28) Sta. 1046+85 to Sta. 1059+12 R of L
 Property of ROBERT SHIRER & RUTH SHIRER, TRUSTEES
 Length of widening 1227 feet Left 1227 feet Right
 Length of relocation.....
 Total acres in farm.....
 Assessed valuation per acre.....
 Fair market value per acre 300.00
 Type of existing road.....

Lengths and types of existing fence

Estimate of Damage

Damage
Estimated by

Damage
Estimated by

KONNERSMAN C. Hollingsworth

Rods..... fence to be moved.....	Rod	\$		\$
Rods <u>75</u> fence to be constructed @ <u>4.00</u>	Rod	\$	<u>300.00</u>	\$
Land in right of way <u>4.95</u> acres @ <u>300.00</u>		\$	<u>1485.00</u>	\$
Buildings to be moved (kind, size, etc.)		\$		\$
<u>6 END POSTS @ \$15.00</u>		\$	<u>90.00</u>	
Trees, shrubbery, etc. (kind)		\$		\$
Drainage		\$		\$
Well		\$		\$
Proximity to buildings		\$		\$
Consequential damage due to		\$		\$
Other damage		\$		\$
Total			<u>\$ 1875.00</u>	\$
Probability of an early and definite increase in value		\$		\$
Net damage			<u>\$ 1875.00</u>	\$

(Sketch on other side)

N.T.

STATE HIGHWAY COMMISSION OF INDIANA

RIGHT OF WAY REPORT

U.S. 41 Proj. P.J. 69 Sec. (28) Sta. 1046+859 to Sta. 1059+12 ^{2nd} P.R or L

Property of Robert Shirey & Ruth Shirey Trustees

Length of widening 1227 feet Left 1227 feet Right

Length of relocation Lengths and types of existing fence

Total acres in farm 36.4

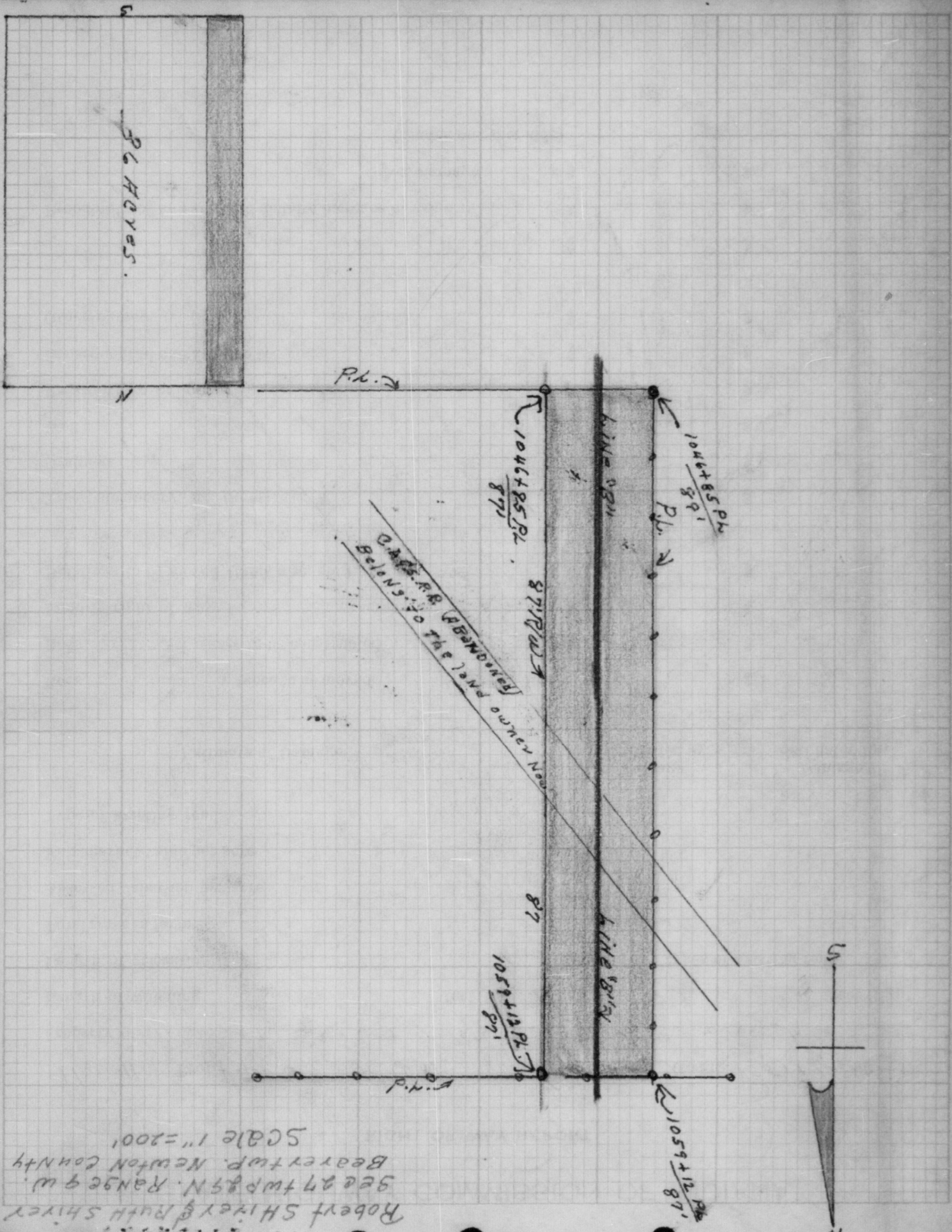
Assessed valuation per acre

Fair market value per acre

Type of existing road

Estimate of Damage	Damage Estimated by	Damage Estimated by
Rods fence to be moved	Rod \$	\$
Rods fence to be constructed	Rod \$	\$
Land in right of way acres	\$	\$
Buildings to be moved (kind, size, etc.)	\$	\$
Trees, shrubbery, etc. (kind)	\$	\$
Drainage	\$	\$
Well	\$	\$
Proximity to buildings	\$	\$
Consequential damage due to	\$	\$
Other damage	\$	\$
Total	\$	\$
Probability of an early and definite increase in value	\$	\$
Net damage	\$	\$

(Sketch on other side)



Robert Shirey & Ruth Shirey
 see 27 twp 29 N. Range 9 W.
 Bearertwp. Newton County
 Scale 1" = 200'

SKETCH OF THE ENTIRE FARM OR PLAT OF GROUND TO SCALE SHOWING
 SIZE AND LOCATION OF BUILDINGS, EXISTING ROADS, AND NEW
 D, AND ANY OTHER INFORMATION INFLUENCING ITEMS.