

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

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

RIGHT OF WAY GRANT

Clifford Clark & Carrie E. Clark *PARCEL 4*

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. 3, T. 28 N, R. 9 W .07 ~~XXXXXX~~ 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 ON CENTERLINE (C/L) <u>D</u>	LEFT SIDE OF CENTERLINE	RIGHT SIDE OF CENTERLINE
988+50 to 989+25 PL	87 to 165 feet	feet
The below described right-of-way is temporary right-of-way for the construction of outlet ditches and will revert back to permanent right-of-way hereinbefore described on the completion of said project.		
979+76 PL to 980+30	125 feet	feet
987+75 to 988+25	130 feet	feet
to	feet	feet

The above and foregoing grant is made in consideration of payment of the sum of Three Hundred and Thirty-Five Dollars (\$ 335.00 ), which sum shall be paid to the order of

NAME Clifford Clark  
ADDRESS RR 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.

Mortgages: Equitable Life Ins. Co. of Iowa, Des Moines, Iowa  
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.

Clifford Clark (Grantor)  
Clifford Clark (Grantor)  
Carrie E. Clark (Grantor)  
Corrie E. Clark (Grantor)

FILED  
JUN 12 1954

JOHN M. CONNELL (Grantor)  
County Auditor  
Dated March 1954

CHECKED WITH PROJECT PLANS DATED \_\_\_\_\_  
BY \_\_\_\_\_

AMOUNT APPROVED APR 21 '54  
BY W. J. Teverbaugh  
NAME Teverbaugh

THE ABOVE GRANT IS HEREBY ACCEPTED.  
STATE OF INDIANA  
BY Albert J. Wedeking  
Chairman, STATE HIGHWAY DEPARTMENT OF INDIANA  
DATE 5/7 1954

DESCRIPTION MAR 25 1954 & FORM OK'D  
BY S. C. Skaltsas

PAID BY WARRANT No. A532779  
DATED 5/27/1954

MAR 25 1954

State of Indiana, County of Newton

Personally appeared before me Clifford Clark & Carrie R. Clark, Husband & Wife

and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this 11th day of March, 1954.

Witness my hand and official seal.

My Commission expires Jan. 18, 1958

Howard Co. Notary Public

Wilbur L. Rust

State of Indiana, County of

STATE OF IOWA }  
POLK COUNTY }  
ss

On this 9th day of April, 1954, before me, a Notary Public

in and for said County and State, personally appeared Phineas M. Henry

to me personally known, who being by me duly sworn, did say that he is Vice President of the Equitable Life

Insurance Company of Iowa, a Corporation, that the Seal affixed to the above instrument

is the Corporate Seal of said Corporation, and that said instrument was signed and sealed on behalf of the said Cor-

poration by authority of its Board of Trustees, and the said Phineas M. Henry acknowledged

the execution of said instrument to be the voluntary act and deed of said Corporation by it voluntarily executed.

*Earl Hadden*

Notary Public in and for Polk County, Iowa

250 10-49 0-66

MY COMMISSION EXPIRES JULY 4, 1954

My

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.

RECEIVED FOR RECORD

At 8:30 o'clock A.M. Recorded

Indiana Record No. 84 Page 236-437 Notary Public

JUN 12 1954

CLARICE HUFFY

State of Indiana, County of

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

Notary Public

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

9th day of April, 1954

By *Phineas M. Henry* (Seal)

Vice President (Seal)

State of IOWA }  
POLK COUNTY }  
ss

Personally appeared before me Phineas M. Henry,

above named and duly acknowledged the execution of the above release the 9th day of April, 1954.

Witness my hand and official seal.

My Commission expires July 4, 1954.

Notary Public

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

May 18, 19 54

To Clifford Clark  
R.R  
Morocco, Indiana

GENTLEMEN:

We enclose State Warrant No. A532779, May 17, 19 54  
in settlement of the following vouchers:

DESCRIPTION	AMOUNT
<i>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 11, 1954</i>	335 00

PLEASE RECEIPT AND RETURN

Yours truly,

*Clifford M. Clark*  
CONTROLLER

Received Payment: *May 20* 1954

TITLE AND ENCUMBRANCE REPORT



RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S.R. 45.44 PROJ. FI. 69 SEC. (28)

Washington TWP. Newton CO.

Name on Plans Clifford Clark.

Name in Trans. Book \_\_\_\_\_

DESCRIPTION OR ADDITION	SEC.	TWP.	RGE.	ACREAGE	ASSESSED VAL.	
	BLK.	LOT	LOT	TOWN	LAND	IMP.
<u>1/2 of N.W. 1/4</u>	<u>3</u>	<u>28N</u>	<u>9W</u>	<u>45</u>	<u>2510</u>	

DEED RECORD:

DEED RECORD 84 P. 12 Recorded 6-26-1958 Quit-claim Deed.

To Clifford Clark and Carrie C. Clark, H. & W.

From Leonard S. Clark, Alice Clark, H. & W., George P. Clark & Kathryn B. Clark, H. & W.

Subject to Charlotte Clark widow of George T. Clark.

*Probate*

DEED RECORD 13 P. 522 Recorded April 20, 1942 Deed.

To Charlotte Clark, widow of Geo. T. Clark admr.

From George T. Clark estate.

Subject to \_\_\_\_\_

DEED RECORD 40 P. 554 Recorded 9-1-1899 War. Deed.

To George T. Clark.

From Josiah P. Thompson and Mary A. Thompson.

Subject to \_\_\_\_\_

MORTGAGE RECORD:

MORTGAGE RECORD 69 P. 274 Amount \$6,500.<sup>00</sup> Date 6-26, 1953

Mortgagor Clifford Clark and Carrie C. Clark, H. & W.

Mortgagee Equitable Life Insurance Company of Iowa

Street Address \_\_\_\_\_ City Des Moines State Iowa 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 Ungel, Jr.

Date 2-15-1953

33 acres off the west side of the north 1/2 of the N.W. 1/4  
of Sec. 3, Twp 28 N. Range 9 W. : also a parcel of land  
described as follows. Commencing at the N.E. corner of  
of the N.W. 1/4 of the S. 2. Twp 28 N. R. 9 W. running South 58 deg  
West 116 rods; North 55 rods; to the north side of the  
29 N. Range 9 W. Thence 116 rods to the place of beginning.  
Starting therefrom a piece of land beginning at  
the northeast corner of the northeast quarter of Sec.  
3, Twp 28 N. Range 9 W. (running Thence south  
58 rods; Thence west to the west right of way line of  
the new W.S. Highway #1) Thence north along said  
right of way line to the north line of Sec. 3; Thence  
East to the place of beginning; all above land being  
in Section 3 Twp 28 N. Range 9 W.

# STATE HIGHWAY COMMISSION OF INDIANA

## RIGHT OF WAY REPORT

U.S. 41 Proj. F I 69 Sec. (28) Sta. 988+50 to Sta. 989+25 PL. ~~For~~ L

Property of Clifford Clark

Length of widening 75 feet Left feet Right

Length of relocation Lengths and types of existing fence

Total acres in farm 45

Assessed valuation per acre

Fair market value per acre

Type of existing road none

Estimate of Damage	Damage Estimated by	Damage Estimated by
	Rust-Konnersman	
Rods fence to be moved	Rod \$	\$
Rods 60 fence to be constructed at 4.00 a Rod	\$ 240.00	\$
Land in right of way <del>3</del> CORNER acres CUT	\$ 50.00	\$
Buildings to be moved (kind, size, etc.)	\$	\$
3 End Posts at \$15.00 a post	45.00	
Trees, shrubbery, etc. (kind)	\$	\$
Drainage	\$	\$
Well	\$	\$
Proximity to buildings	\$	\$
Consequential damage due to	\$	\$
Other damage	\$	\$
<b>Total</b>	<b>\$ 335.00</b>	<b>\$</b>
Probability of an early and definite increase in value	\$	\$
<b>Net damage</b>	<b>\$ 335.00</b>	<b>\$</b>

(Sketch on other side) N. T.

# STATE HIGHWAY COMMISSION OF INDIANA

## RIGHT OF WAY REPORT

U.S.H. 1 Proj. PI 69 Sec. 28 Sta. \_\_\_\_\_ to Sta. \_\_\_\_\_ R or L  
 Property of Clifford Clark  
 Length of widening \_\_\_\_\_ feet Left \_\_\_\_\_ feet Right  
 Length of relocation \_\_\_\_\_ Lengths and types of existing fence \_\_\_\_\_  
 Total acres in farm 4.5  
 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)

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

Public Road,  
 246' twp 11/2 N

Line "D" N

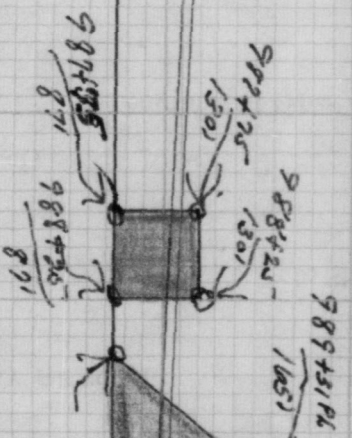
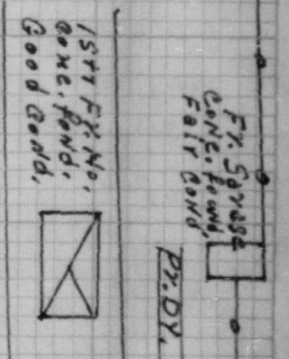
Line "D" S

Line "D" W

Clifford Clark  
 Sec. 3 Twp 29 North Rge. 9 West  
 Washington Twp.  
 Newton County,  
 Scale 1" = 100'

Clifford Clark  
 Farm

45H



temp. R/W Res'd to  
 construct other  
 Ditches

