Action Item # 4 - City of Westfield Acceptance of Quickclaim Deeds for Midland Trace Right of Way

In Westfield's pursuit of building multi-use trails and in particular the Midland Trace Trail we are seeking to obtain the abandoned railroad right of way (ROW) as economically as possible. The current Midland project that is being designed is what is known as the east leg of the Midland Trace Trail, which runs from Gray Road to Union Street. By the end of October we will have the trail design and construction plans, the survey completed and exhibits to use for ROW acquisition.

The City of Noblesville maintains ownership of several parcels along the Midland Trace corridor throughout Washington Township. The parcels within the scope of this project have been quit claimed by Noblesville to Westfield at their meeting on the 23rd. We are asking for the Westfield Board of Public Works to accept this property on behalf of the City. Once signed and accepted it will be recorded. Matt Skelton with Bakers and Daniels is handling the transfer paperwork.

QUITCLAIM DEED

Document Cross Reference Number 9116724

THIS INDENTURE WITNESSETH that the CITY OF NOBLESVILLE, Hamilton County, Indiana ("Grantor"), **QUITCLAIMS AND DEDICATES** to the CITY OF WESTFIELD, Hamilton County, Indiana ("Grantee"), for the sum of Ten Dollars ($10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the real estate in Hamilton County, Indiana described below (the "Real Estate"):

> A 100 foot wide right-of-way, 50 feet each side of centerline, as being located in part of Section 6, and part of Section 5, all in Township 18 North, Range 4 East of the Second Principal Meridian in Hamilton County, Indiana and the centerline being more particularly described as follows:
>
> Beginning at a point along the West line of the Northwest Quarter of said Section 6 at the centerline of now or formerly know as Central Indiana Railroad which is South 00 degrees 19 minutes 07 Seconds East (basis of bearing for this description) and a distance of 928.50 from the Northwest corner of said Section 6; Thence along said rail road centerline North 89 degrees 43 minutes 16 seconds East, for a distance of 2629.27 feet to the West line of the Northeast Quarter of Section 6; Thence continuing along said centerline North 89 degrees 23 minutes 29 seconds East, for a distance of 2639.72 feet to the West line of the Northwest Quarter of Section 5; Thence continuing along said centerline South 88 degrees 47 minutes 05 seconds East, for a distance of 2688.95 feet to the West line of the Northeast Quarter of Section 5; Thence continuing along said centerline South 89 degrees 36 minutes 14 seconds East, for a distance of 2668.36 feet to the East line of the Northeast Quarter of section 5 and the Point of Terminus for this description. The beginning and terminus lines to be extended or lengthened to the said Section line.

This conveyance is made subject to all existing easements and right-of-ways.

The Real Estate described above may not be owned in its entirety by Grantor and this deed shall serve as a source of title only for that part of the Real Estate owned by Grantor as of the date hereof.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this ___ day of Sept 23, 2008.

"GRANTOR":

CITY OF NOBLESVILLE, INDIANA
BY ITS BOARD OF PUBLIC WORKS
AND SAFETY

Date: 9-23-08

By: _____
John Ditslear, Presiding Officer

By: Lawrence Stork
Lawrence Stork, Member

By: _____
Jack Martin, Member

ATTEST:

Janet S Jaros
Janet Jaros, Clerk-Treasurer

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared John Ditslear, Lawrence Stork, and Jack Martin, by me known to be the members of the City of Noblesville Board of Public Works and Safety, and Janet Jaros, Clerk-Treasurer of the City of Noblesville, who having been duly sworn upon his/her oath acknowledged his/her authority to execute the foregoing Quitclaim Deed for and on behalf of the City of Noblesville, Indiana.

Witness my hand and Notarial Seal this 23rd day of September, 2008

(Signature) Carmel Terry
(Printed Name) Carmelline Terry
Notary Public residing in Hamilton County
My Commission Expires: 04-19-2015

ACCEPTED BY **"GRANTEE":**

CITY OF WESTFIELD, INDIANA
BY ITS BOARD OF PUBLIC WORKS AND SAFETY

By: _____ Date: _____
Andy Cook, Presiding Officer

By: _____ Date: _____
Jack Hart, Member

By: _____ Date: _____
Mark Heirbrandt, Member

ATTEST:

_____
Cindy J. Gossard, Clerk-Treasurer

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared Andy Cook, Jack Hart, and Mark Heirbrandt, by me known to be the members of the City of Westfield Board of Public Works and Safety, and Cindy J. Gossard, Clerk-Treasurer of the City of Westfield, who having been duly sworn upon his/her oath acknowledged the acceptance of the foregoing Quitclaim Deed for and on behalf of the City of Westfield, Indiana.

Witness my hand and Notarial Seal this _____ day of _____, 2008.

(Signature) _____
(Printed Name) _____
Notary Public residing in _____ County
My Commission Expires: _____

Please return recorded instrument to: Matthew S. Skelton, Esq., BAKER & DANIELS, LLP, 600 E. 96th St., Suite 600, Indianapolis, Indiana, 46240.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: Matthew S. Skelton.

This instrument was prepared by: Matthew S. Skelton, Esq., BAKER & DANIELS, LLP, 600 East 96th Street, Suite 600, Indianapolis, Indiana, 46240, (317) 569-4835.