

RESOLUTION 13-101

**RESOLUTION TO TRANSFER RIGHT OF WAY FROM THE CITY OF
WESTFIELD TO HAMILTON COUNTY INDIANA AND
THE STATE OF INDIANA**

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, the Council has the duty and authority to maintain the Rights of Way within the City and to transfer those property rights when it is in the best interested of the citizens of the City; and,

WHEREAS, Hamilton County and the State of Indiana though the Indiana Department of Transportation have requested such a transfer and it is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED by the Westfield City Common Council meeting in session as follows:

- Section 1.** That the City hereby transfers the right of Way outlined by Exhibit "A", attached hereto and incorporated by reference herein.
- Section 2.** That this transfer is made pursuant to I.C 36-1-11-8 and shall be effective upon the passage of a similar resolution by Hamilton County and the State of Indiana.
- Section 3.** This Resolution shall be in full force and effect immediately, all acts necessary in the creation of these transfers are hereby ratified.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

ALL OF WHICH IS RESOLVED THIS 11 DAY OF Feb 2013.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain



Jim Ake

Jim Ake

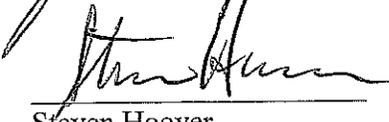
Jim Ake



John Dippel

John Dippel

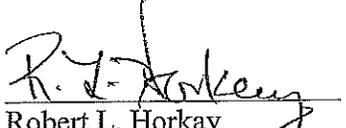
John Dippel



Steven Hoover

Steven Hoover

Steven Hoover



Robert L. Horkay

Robert L. Horkay

Robert L. Horkay



Cindy L. Spoljaric

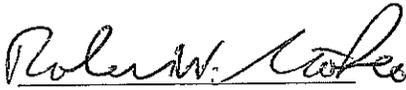
Cindy L. Spoljaric

Cindy L. Spoljaric

Robert J. Smith

Robert J. Smith

Robert J. Smith



Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

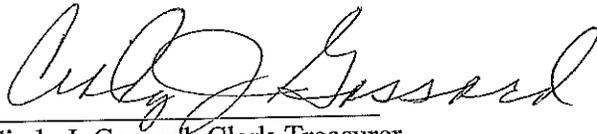
ATTEST:



Cindy J. Gossard, Clerk Treasurer

I hereby certify that RESOLUTION 13-101 was delivered to the Mayor of Westfield

on the 12 day of Feb, 2013, at 11:15 a m.



Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE RESOLUTION 13-101

this 13th day of February, 2013.



J. Andrew Cook, Mayor

I hereby VETO RESOLUTION 13-101

this _____ day of _____, 2013.

J. Andrew Cook, Mayor

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

Form WL-2
Rev. 2009

WARRANTY DEED
WITH PARTIAL LIMITATION OF ACCESS

DES: 0900269
Project: 0710215
Code: 5307
Parcel: 216 & 216A
Page: 1 of 3

THIS INDENTURE WITNESSETH, That THE CITY OF WESTFIELD, INDIANA (f/k/a The Town of Westfield, Indiana), the Grantor, of Hamilton County, State of Indiana, Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Twenty-two Thousand, Nine Hundred Seventy-five and No/100 Dollars (\$22,975.00) (of which said sum \$21,000.00 represents land and improvements acquired and \$1,975.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Hamilton, State of Indiana, and which is more particularly described in the legal description(s) attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as U.S. 31 and as Project 0710215 to and from the Grantor(s) remaining lands along the line or lines specifically described in the said exhibits. This restriction is a covenant running with the land and shall be binding on the Grantor(s) and on all successors in title to the said abutting lands.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

As an inducement for the State of Indiana to close this real estate transaction, the grantor(s) assume(s) and agree(s) to pay the 2011 payable 2012 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the State of Indiana in the event of any non-payment.

Interests in land acquired by the
Indiana Department of Transportation
100 N. Senate Avenue, Room N642
Indianapolis, IN 46204

I.C. 8-23-7-31

State of Indiana)
)SS:
County of Hamilton)

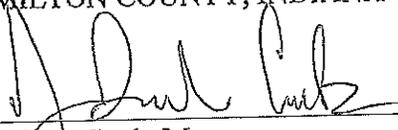
Project: Bridge #147
Parcel: 2
Road: 161st Street

DONATION AGREEMENT (WITHOUT OFFER)
Cross Reference 200500072698
200100086498

We, f/k/a Town of Westfield n/k/a City of Westfield of Hamilton County, Indiana, property owners hereby convey to the Board of Commissioners of Hamilton County, Indiana, the property as described on the attached Exhibits A & B for \$1.00 and/or other good and valuable considerations, without any undue coercive action of any nature, fully aware that we are entitled to just compensation based upon an appraisal.

We waive such appraisal rights and do hereby convey the property this 11th day of February, 2013.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 11th DAY OF February, 2013.



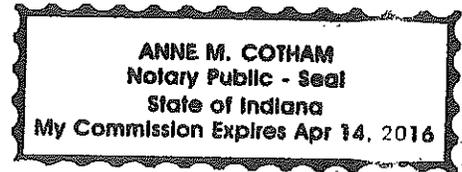
J. Andrew Cook, Mayor

Before me, a Notary Public in and for said County and State personally appeared J. Andrew Cook who acknowledged the truth of the statements in the foregoing agreement on this 11th day of February, 2013.

Anne M. Cotham
Notary Public (Signature)

Anne M. Cotham
Notary Public (Printed)

My Commission Expires April 14, 2016
My County of Residence is Hamilton



This instrument prepared by: Hamilton County Highway Department Michael A. Howard Attorney at Law

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in the document, unless required by law.
Tim Knapp
Tim Knapp RAW Manager
Hamilton County Highway Department

EXHIBIT "A"
Sheet 1 of 2

PERMANENT RIGHT OF WAY
161st Street over Cool Creek
Hamilton County
PARCEL NO. 2-A
Town of Westfield

Part of the West Half Southwest Quarter of Section 7, Township 18 North, Range 4 East of the Second Principal Meridian, Hamilton County, Indiana, being a portion of a parcel of land as described in Instrument No. 200500072698, all in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Beginning at the Northwest corner of the West Half of the Southwest Quarter of said Section 7; thence North 89 degrees 45 minutes 15 seconds East (Location Route Survey Bearing, Instrument No. 200600025208, in the Office of the Recorder of Hamilton County, Indiana), along the North line of said half quarter Section 263.28 feet to the northwest corner of Instrument No. 200100086498, in said office; thence South 00 degrees 15 minutes 07 seconds East, along the west line thereof, 53.00 feet; thence South 89 degrees 45 minutes 15 seconds West, 87.10 feet; thence North 89 degrees 40 minutes 22 seconds West, 100.00 feet; thence South 52 degrees 31 minutes 10 seconds West, 62.80 feet; thence South 08 degrees 54 minutes 01 seconds West, 60.77 feet; thence South 89 degrees 45 minutes 15 seconds West, 16.50 feet; thence North 00 degrees 15 minutes 18 seconds West, 150.00 feet to the point of beginning, containing 17,052 square feet, 0.391 acres, more or less, inclusive of existing right of way which contains 0.109 acres, more or less, under pavement, for a net additional taking of 0.282 acres, more or less.

Given under my hand and seal August 13, 2012
Date



Rick L. Alexander
Registered Land Surveyor
No. 20100013
State of Indiana

EXHIBIT "A"
Sheet 2 of 2

PERMANENT RIGHT OF WAY
161st Street over Cool Creek
Hamilton County
PARCEL NO. 2-B
Town of Westfield

Part of the West Half Southwest Quarter of Section 7, Township 18 North, Range 4 East of the Second Principal Meridian, Hamilton County, Indiana, being a portion of a parcel of land as described in Instrument No. 200500072698, all in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the West Half of the Southwest Quarter of said Section 7; thence North 89 degrees 45 minutes 15 seconds East (Location Route Survey Bearing, Instrument No. 200600025208, in the Office of the Recorder of Hamilton County, Indiana), along the North line of said half quarter Section 303.29 feet to the northeast corner of Instrument No. 200100086498, in said office, and the Point of Beginning of this description; thence continue North 89 degrees 45 minutes 15 seconds East, 74.71 feet to the northwest corner of the Amended Replat of Cool Creek Circle, recorded in Plat Book 4, Page 173, also in said office; thence South 00 degrees 14 minutes 45 seconds East, 25.00 feet to the northwest corner of Lot 19 in said plat; thence South 24 degrees 27 minutes 32 seconds East, along the westerly line of said lot 53.40 feet; thence South 86 degrees 01 minutes 24 seconds West, 96.82 feet to the southeast corner of aforesaid instrument; thence North 00 degrees 14 minutes 45 seconds West, along the east line thereof 33.50 feet to the southwest corner of Instrument No. 9215162, and also in said office; (the following 3 courses along said instrument); 1) thence North 89 degrees 45 minutes 15 seconds East, 20.00 feet; 2) thence North 00 degrees 14 minutes 45 seconds West, 30.00 feet; 3) thence South 89 degrees 45 minutes 15 seconds West, 20.00 feet; thence North 00 degrees 14 minutes 45 seconds West, 16.50 feet to the point of beginning, containing 5,744 square feet, 0.132 acres, more or less, inclusive of existing right of way which contains 0.009 acres, more or less, under pavement, for a net additional taking of 0.123 acres, more or less.

Given under my hand and seal August 13, 2012
Date



Rick L. Alexander
Registered Land Surveyor
No. 20100013
State of Indiana

EXHIBIT 'B'
RIGHT OF WAY PARCEL PLAT

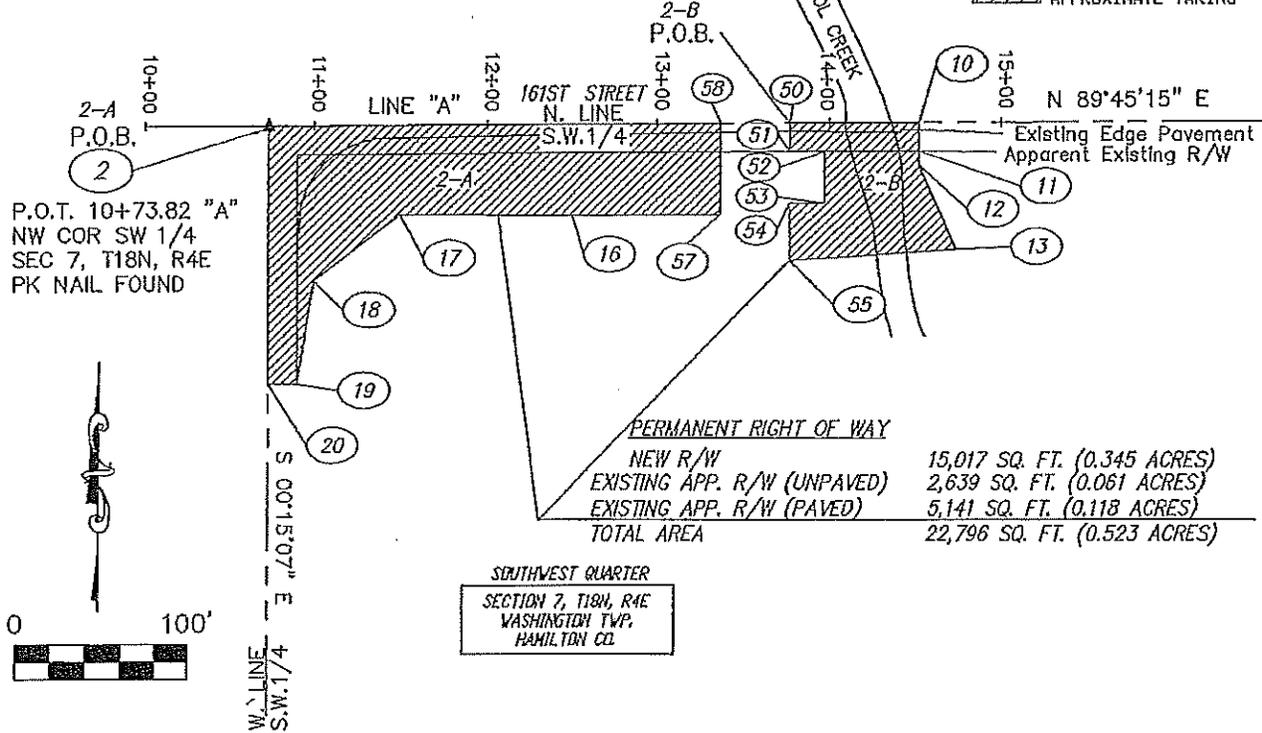
SHEET 1 OF 1

PARCEL: 2A&B
CODE:
PROJECT NO.
ROAD: 161 Street over Cool Creek
COUNTY: HAMILTON
SECTION: 7
TOWNSHIP: 18 N
RANGE: 4 E

DRAWN: R. L. A.
DATE: 08-10-2012
CHECKED: R. L. A.
DATE: 08-13-2012

OWNER: Town of Westfield
INSTRUMENT NO.: 200500072698
RECORD NO.
PAGE NO.
DATED: 11-04-2005

 HATCHED AREA IS APPROXIMATE TAKING



PERMANENT RIGHT OF WAY
NEW R/W 15,017 SQ. FT. (0.345 ACRES)
EXISTING APP. R/W (UNPAVED) 2,639 SQ. FT. (0.061 ACRES)
EXISTING APP. R/W (PAVED) 5,141 SQ. FT. (0.118 ACRES)
TOTAL AREA 22,796 SQ. FT. (0.523 ACRES)

SOUTHWEST QUARTER
SECTION 7, T18N, R4E
WASHINGTON TWP.
HAMILTON CO.

NOTE: STATION AND OFFSETS CONTROL OVER BOTH NORTH AND EAST COORDINATES AND BEARINGS AND DISTANCES

POINT	NORTHING	EASTING	STATION	OFFSET
2	9990.409	10030.733	10+73.82 "A"	0.00'
3	7328.835	10042.540		
5	10001.586	12634.908		
6	9984.704	11030.732	20+73.82 "A"	0.00'
10	9992.031	10408.733	14+51.82 "A"	0.00'
11	9975.531	10408.804	14+51.82 "A"	16.50' RT (APP.R/W)
12	9967.031	10408.841	14+51.82 "A"	25.00' RT
13	9918.425	10430.949	14+73.72 "A"	73.70' RT
16	9938.165	10207.143	12+50.00 "A"	53.00' RT
17	9938.736	10107.139	11+50.00 "A"	52.00' RT
18	9900.522	10057.303	11+00.00 "A"	90.00' RT
19	9840.481	10047.900	10+90.34 "A"	150.00' RT (APP.R/W)
20	9840.410	10031.400	10+73.84 "A"	150.00' RT
50	9991.710	10334.020	13+77.11 "A"	0.00' RT
51	9975.211	10282.142	13+77.11 "A"	16.50' RT
52	9975.296	10354.091	13+97.11 "A"	16.50' RT
53	9945.297	10354.220	13+97.11 "A"	46.50' RT
54	9945.211	10334.220	13+77.11 "A"	46.50' RT
55	9911.711	10334.363	13+77.11 "A"	80.00' RT
57	9938.539	10294.244	13+37.10 "A"	53.00' RT
58	9991.538	10294.009	13+37.09 "A"	0.00' RT



Rick L. Alexander

OFFICE SURVEYORS REPORT

THE INFORMATION SHOWN IN THE NEW PARCEL INFORMATION CHART IS INTENDED TO SHOW THE LOCATION OF THE NEW R/W DESIGN

THE EXISTING R/W INFORMATION IS PER PHYSICAL EVIDENCE IN THE FIELD

SURVEYORS STATEMENT

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT TOGETHER WITH THE LOCATION CONTROL ROUTE SURVEY PLAT RECORDED AS INSTRUMENT NO. 2006-00025208, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA (INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE) COMPRISE A ROUTE SURVEY, EXECUTED IN ACCORDANCE WITH INDIANA ADMINISTRATIVE CODE 865IAC 1-12 (RULE 12)

EXHIBIT "A"
Sheet 1 of 2

PERMANENT RIGHT OF WAY
161st Street over Cool Creek
Hamilton County
PARCEL NO. 2-C
Town of Westfield

Part of the West Half Southwest Quarter of Section 7, Township 18 North, Range 4 East of the Second Principal Meridian, Hamilton County, Indiana, being a parcel of land as described in Instrument No. 200100086498, in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the West Half of the Southwest Quarter of said Section 7; thence North 89 degrees 45 minutes 15 seconds East (Location Route Survey Bearing, Instrument No. 200600025208, in the Office of the Recorder of Hamilton County, Indiana), along the North line of said half quarter Section, 263.28 feet to the northwest corner of said Instrument No. 200100086498, and the Point of Beginning of this description; (the following courses along the perimeter of said instrument); thence North 89 degrees 45 minutes 15 seconds East, 40.00 feet; thence South 00 degrees 14 minutes 45 seconds East, 80.00 feet; thence South 89 degrees 45 minutes 15 seconds West, 40.00 feet; thence North 00 degrees 15 minutes 07 seconds West, 80.00 feet to the point of beginning, containing 3200 square feet, 0.073 acres, more or less, inclusive of existing right of way which contains 0.004 acres, more or less, under pavement, for a net additional taking of 0.069 acres, more or less.

Given under my hand and seal August 13, 2012
Date



Rick L. Alexander
Registered Land Surveyor
No. 20100013
State of Indiana

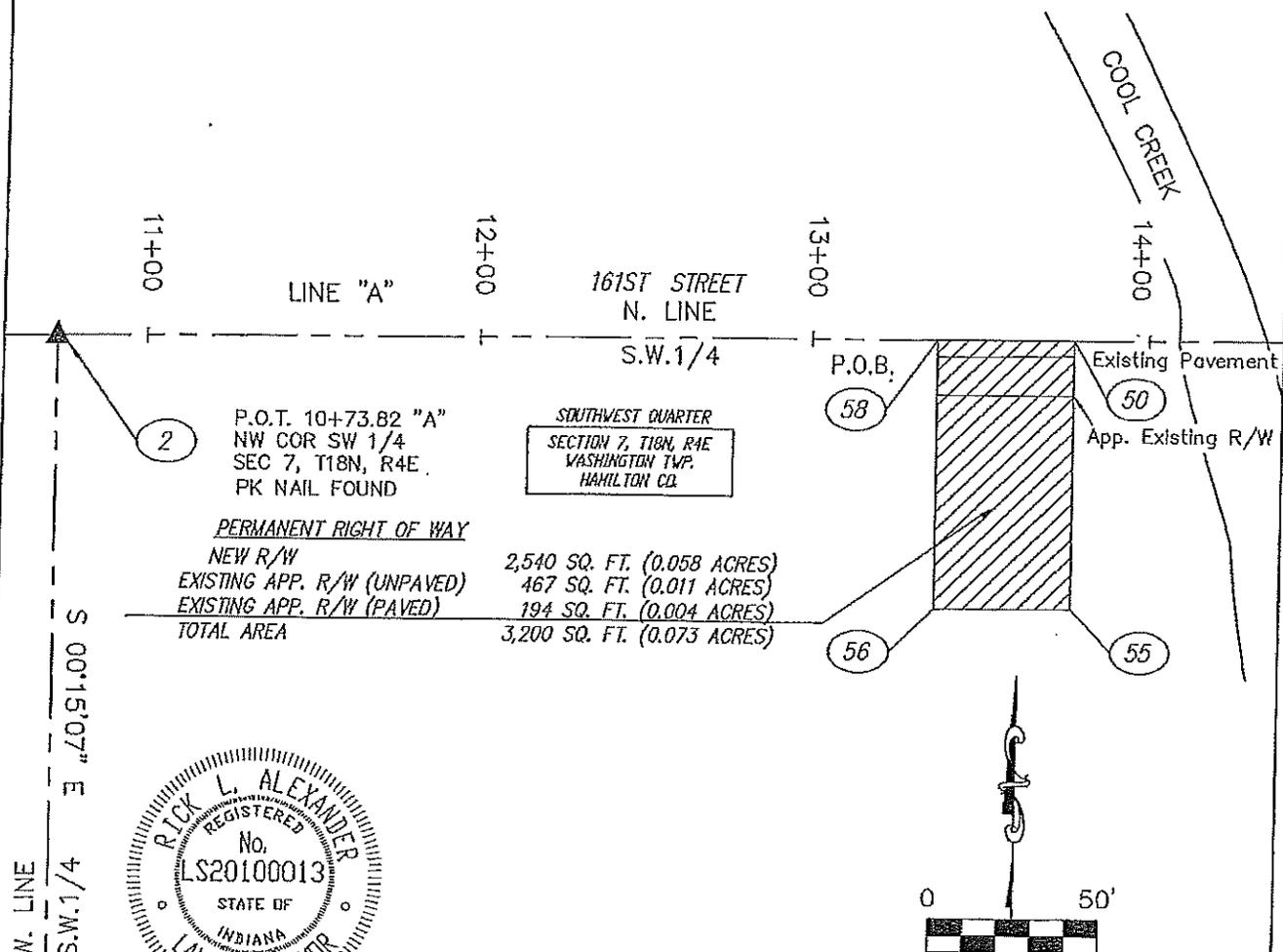
EXHIBIT "B"
RIGHT OF WAY PARCEL PLAT

PARCEL: 2-C
CODE:
PROJECT NO.
ROAD: 161 Street over Cool Creek
COUNTY: HAMILTON
SECTION: 7
TOWNSHIP: 18 N
RANGE: 4 E

OWNER: Town of Westfield
INSTRUMENT NO.: 200100086498
RECORD NO.
PAGE NO.
DATED: 11-04-2005

SHEET 1 OF 1
DRAWN: R. L. A.
DATE: 08-10-2012
CHECKED: R. L. A.
DATE: 08-13-2012

 HATCHED AREA IS APPROXIMATE TAKING



P.O.T. 10+73.82 "A"
NW COR SW 1/4
SEC 7, T18N, R4E
PK NAIL FOUND

**PERMANENT RIGHT OF WAY
NEW R/W**
EXISTING APP. R/W (UNPAVED) 2,540 SQ. FT. (0.058 ACRES)
EXISTING APP. R/W (PAVED) 467 SQ. FT. (0.011 ACRES)
TOTAL AREA 194 SQ. FT. (0.004 ACRES)
3,200 SQ. FT. (0.073 ACRES)

SOUTHWEST QUARTER
SECTION 7, T18N, R4E
WASHINGTON TWP.
HAMILTON CO.



Rick L. Alexander

OFFICE SURVEYORS REPORT

THE INFORMATION SHOWN IN THE NEW PARCEL INFORMATION CHART IS INTENDED TO SHOW THE LOCATION OF THE NEW R/W DESIGN

THE EXISTING R/W INFORMATION IS PER PHYSICAL EVIDENCE IN THE FIELD

* NOTE: STATION AND OFFSETS CONTROL OVER BOTH NORTH AND EAST COORDINATES AND BEARINGS AND DISTANCES

POINT	NORTHING	EASTING	STATION	OFFSET
2	9990.409	10030.733	10+73.82 "A"	0.00'
3	7328.835	10042.540		
5	10001.586	12634.908		
6	9994.704	11030.732	20+73.82 "A"	0.00'
50	9991.710	10334.020	13+77.11 "A"	0.00' RT
55	9911.711	10334.363	13+77.11 "A"	80.00' RT
56	9911.539	10294.364	13+37.11 "A"	80.00' RT
58	9991.538	10294.009	13+37.09 "A"	0.00' RT

SURVEYORS STATEMENT

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT TOGETHER WITH THE LOCATION CONTROL ROUTE SURVEY PLAT RECORDED AS INSTRUMENT NO. 2006-00025208, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA (INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE) COMPRISE A ROUTE SURVEY, EXECUTED IN ACCORDANCE WITH INDIANA ADMINISTRATIVE CODE 865IAC 1-12 (RULE 12)

DES: 0900269
Project: 0710215
Code: 5307
Parcel: 216 & 216A
Page: 2 of 3

The undersigned represents and warrants that he is the Mayor of the Grantor, that pursuant to resolution of the City Council he has full authority to manage the affairs of said City and sign and execute documents on its behalf and that said authority has not been revoked, and that he is therefore, fully authorized and empowered to convey to the State of Indiana real estate of the City, and that on the date of execution of said conveyance instruments he had full authority to so act.

IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument this 14 day of February, 2013.

THE CITY OF WESTFIELD, INDIANA

BY: [Signature] (Seal)

J. Andrew Cook, Mayor
Printed Name and Title

STATE OF Indiana :

COUNTY OF Hamilton : SS:

Before me, a Notary Public in and for said State and County, personally appeared The City of Westfield, Indiana (aka The Town of Westfield, Indiana) By: J. Andrew Cook the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be his voluntary act and deed and whom, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 14 day of February, 2013
[Signature]
Signature

Anne M. Cothran
Printed Name

My Commission expires April 14, 2016

I am a resident of Hamilton County.

DES: 0900269
Project: 0710215
Code: 5307
Parcel: 216 & 216A
Page: 3 of 3

This instrument prepared by and I affirm, that under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Deputy Attorney General

Attorney No. _____
Office of the Indiana Attorney General
302 W. Washington Street, 5th Floor
Indianapolis, IN 46204-2770

Grantee Tax Mailing Address:
INDOT
100 N. Senate Avenue, Room N642
Indianapolis, IN 46204

EXHIBIT "A"

PROJECT: 0710215

CODE: 5307

Sheet 1 of 2

PARCEL NO.: 216-Fee Simple

Form WL-2

Key Number 29-09-12-000-020.001-015

Part of the Southeast Quarter of Section 12, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning on the south line of said section South 88 degrees 30 minutes 16 seconds West 632.96 feet from the southeast corner of said section; thence continuing South 88 degrees 30 minutes 16 seconds West 91.99 feet along said line to the southwest corner of said grantor's land; thence North 3 degrees 02 minutes 25 seconds West 31.28 feet along the western line of said grantor's land to point "21612" on said plat; thence South 89 degrees 46 minutes 40 seconds East 90.88 feet to the northwestern boundary of the intersection of U.S. 31 and 156th Street, designated as point "21607" on said plat; thence South 23 degrees 06 minutes 16 seconds West 8.37 feet along said boundary to the north boundary of said 156th Street; thence South 16 degrees 10 minutes 13 seconds East 21.64 feet to the point of beginning containing 0.061 acres more or less, inclusive of the presently existing right of way for 156th Street which contains 0.043 acres more or less.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengel, Indiana Registered Land Surveyor, License Number LS80040408, on the 26th day of August, 2011.

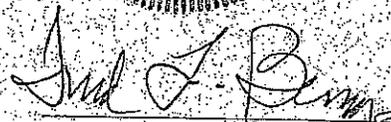

Fred L. Bengel

EXHIBIT "A"

PROJECT: 0710215

CODE: 5307

Sheet 2 of 2

PARCEL NO.: 216A- Fee Simple with Full Limitation of Access

Form WL-2

Key Number 29-09-12-000-020,001-015

Part of the Southeast Quarter of Section 12, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Commencing at the southeast corner of said section; thence South 88 degrees 30 minutes 16 seconds West 632.96 feet along the south line of said section; thence North 16 degrees 10 minutes 13 seconds West 21.64 feet to the southwestern end of the northwestern boundary of the intersection of 156th Street and U.S. 31; thence North 23 degrees 06 minutes 16 seconds East 86.63 feet along said boundary to the western boundary of said U.S. 31; thence North 15 degrees 11 minutes 01 second West 101.06 feet along said boundary to the point of beginning of this description, designated as point "21614" on said plat; thence North 21 degrees 50 minutes 05 seconds West 151.16 feet to point "21615" on said plat; thence North 13 degrees 41 minutes 14 seconds West 440.92 feet to the northern line of said grantor's land designated as point "21616" on said plat; thence North 87 degrees 34 minutes 55 seconds East 16.34 feet along said line to the western boundary of said U.S. 31; thence South 13 degrees 37 minutes 46 seconds East 366.50 feet along said boundary; thence South 15 degrees 11 minutes 01 second East 220.94 feet along said boundary to the point of beginning, containing 0.191 acres more or less.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0900269), to and from the grantor's abutting lands along the 151.16-foot, and the 440.92-foot courses described above. Also, beginning at the southeastern end of the 101.06-foot course described above; thence South 13 degrees 50 minutes 20 seconds East 102.07 feet and terminating on the south line of said section. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 26th day of August, 2011



Fred L. Bengé
Fred L. Bengé



REAL ESTATE CLAIM-VOUCHER
 INDIANA DEPARTMENT OF TRANSPORTATION
 State Form 9929 (R2 / 4-12)

Instructions: This agency is requesting disclosure of your Social Security number in accordance with I.C. 4-1-8

Voucher #	RECEIVED DATE
-----------	---------------

VENDOR INFORMATION				AGENCY INFORMATION			
VENDOR NAME(S) The City Of Westfield, Indiana				AGENCY NAME INDOT		SOCIAL SECURITY NUMBER	
				AGENCY NUMBER 800		FEDERAL I.D. NUMBER	
ADDRESS (NUMBER, STREET) 130 Penn Street				PROJECT NUMBER 0710215		CODE 5307	PARCEL 216
CITY Westfield	STATE IN	ZIP 46074		PS VENDOR ID	VENDOR LOCATION	DES NUMBER 0900269	
AREA BELOW TO BE COMPLETED BY AGENCY							
FUND	DEPARTMENT	LOCALITY	INVOICE DATE	AMOUNT	1099 CODE		
GROSS AMOUNT		\$34,985.00					
INDOT ACCOUNTING LINE DISTRIBUTION							
LN	INVOICE NUMBER	ACCOUNT	PROGRAM	PROFILE	ACTIVITY	PERCENTAGE	AMOUNT
01	20131760						
02							
03							
04							
CLAIMANTS				LEINHOLDERS			
Pursuant to the provisions and penalties of Indiana Code 5-11-10-11, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits, and that no part of the same has been paid. I also authorize payment to be made as indicated above.				I hereby sign this claim voucher as leinholder and only certify to the extent of my interest therein and authorize payments to be made as indicated above.			
DATE City of Westfield				LEINHOLDER NAME			
DATE BY				LEINHOLDER NAME			
DATE				Instrument Approved as to Form, preliminary only. Excepting Real Estate Description:			
DATE Printed name, Title				DEPUTY ATTORNEY GENERAL		DATE	
PAYMENT TYPE MESSAGE				I certify that this claim is correct and valid and is a proper charge against the State Agency and Account indicated.			
Recommended Approval:				INDOT DIVISION OF ACCOUNTING AND CONTROL		DATE	
				Approved, Indiana Department of Transportation			
ORIGINATOR				DATE		DIRECTOR	
						DATE	

REAL ESTATE

FUNCTION: 35
LOCATION: 571

CODE _____ PARCEL _____



VENDOR INFORMATION

State Form 53788 (R2 / 10-09)
Approved by Auditor of State, 2009
Approved by State Board of Accounts, 2009

Name and telephone number of the person who completed this document must be provided.

Name: _____

Daytime telephone number: _____

Print or Type

Legal Name (Owner of the EIN or SSN as name appears on your tax return. Do not enter the business name of a sole proprietorship on this line.)

THE CITY OF WESTFIELD, INDIANA

Trade Name (Doing Business as Name D/B/A) (Complete only if payment is to be made payable to the DBA name)

Remit Address (number and street, city, state, and ZIP code)

130 PENN STREET, WESTFIELD, IN 46074

Purchase Order Address - Optional (number and street, city, state, and ZIP code)

Enter 9-digit Taxpayer Identification Number (TIN) of the legal name:
(SSN - Social Security Number, EIN - Employer Identification Number)

(Individual's SSN)

or

EIN 35-0000142

Check legal entity type (A box must be checked in this section. Check only one box.)

- Individual
- Sole Proprietorship
- Partnership
- Estate / Trust *Note: Show above, the name and number of the legal trust, or estate, not personal representatives.*
- Other [Limited Liability Company (LLC) (attach IRS Form 8832 if applicable), Joint Venture, Club, etc.]
- Corporation Do you provide legal or medical services? Yes No
- Government (or Government operated entity)
- Organization Exempt from Tax under Section 501(a)

One box must be checked I am a U.S. Person (including a U.S. resident alien) I am not a U.S. Person (a W-8 must be filed with the Auditor of State)

Add Deposit Change Deposit *Indiana law (I.C. 4-13-2-14.8) requires that YOU receive PAYMENT(S) by means of electronic transfer of funds.*

SECTION 1: AUTHORIZATION

According to Indiana law, your signature below authorizes the transfer of electronic funds under the following terms:

Account Holder's Name: _____

Account Number: _____

Type of Account:

Checking (Demand)

Savings

Please check this box if your direct deposit will be automatically forwarded to a bank account in another country.

SECTION 2: FINANCIAL INSTITUTION'S APPROVAL (Attach a non-altered voided check or have your financial institution complete this section)

The financial institution identified below agrees to accept automated deposits under the terms set forth herein.

Name of Financial Institution: _____

Telephone: (____) _____

Address: _____

Number and Street, and/or P.O. Box No. _____

City, State, and ZIP Code (00000-0000) _____

ABA Transf-Routing Number _____

Financial Institution's Authorized Signature _____

Title _____

Date _____, 20____

ATTACH A NON-ALTERED VOIDED CHECK HERE

ATTACH A NON-ALTERED VOIDED CHECK HERE

SECTION 3: ELECTRONIC NOTIFICATION OF ELECTRONIC FUND TRANSFER (EFT) DEPOSITS

(Complete this section only if you are requesting electronic notification. You may provide up to four email addresses.)

I hereby request that all future notices of EFT deposits to the bank account specified above be sent to the following email addresses:

I agree to the provisions contained on the reverse side of this form.

NAME (print or type) _____

TITLE _____

AUTHORIZED SIGNATURE _____

DATE _____

TELEPHONE NUMBER _____



SALES DISCLOSURE FORM

State Form 46021 (R11/12-11)

Prescribed by Department of Local Government Finance Pursuant to IC 6-1.1-5.5

PRIVACY NOTICE: The telephone numbers and Social Security numbers of the parties on this form are confidential according to IC 6-1.1-5.5-3(d).

5301
216

SDF ID

County Year Unique ID

SDF Date:

PART I - To be completed by BUYER, GRANTEE, and SELLER, GRANOR. IF PROPERLY TRANSFERRED, MUST BE CONVEYED ON A SINGLE CONVEYANCE DOCUMENT.

Table with 4 columns: 1. Property Number, 2. Check box if applicable to parcel, 3. Complete Address of Property, 4. Complete Tax Billing Address. Includes entries for Parcel A and Parcel B.

PART II - CONDITIONS IDENTIFY FACTS THAT APPLY TO SALES DATA DISCLOSE VALUE OF ITEMS LISTED IN TABLES 5-13

Table with 2 columns: YES, NO, CONDITION. Lists conditions 1-12 regarding property transfer, family relationships, and easements.

Table with 2 columns: YES, NO, CONDITION. Lists conditions 4, 7, 8, 9 regarding family relationships, seller financing, and mortgage loans.

Table with 2 columns: YES, NO, CONDITION. Lists conditions 13-15 regarding compulsory transactions, partition of land, and charity transfers.

Table with 2 columns: YES, NO, CONDITION. Lists conditions 5-6 (Estimated value of personal property, Sales price) and 7-13 (Seller financing, loan details, interest rate, amortization period).

PREPARED BY Larry Ballantyne Preparer of the Sales Disclosure Form 6919 E. 10th STREET, SUITE E-2 Address (Number and Street) INDIANAPOLIS, IN 46219 City, State, and ZIP Code		LAND AGENT Title AROWS, INC. Company (317) 232-5050 rhazzard@indot.in.gov Telephone Number E-mail	
---	--	---	--

SELLER(S)/GRANTOR(S) The City of Westfield, Indiana Seller 1 - Name as appears on conveyance document 130 Penn St. Address (Number and Street) Westfield, IN 46074 City, State, and ZIP Code X (317) 804-3015 acooke@westfield.in.gov Telephone Number E-mail		Seller 2 - Name as appears on conveyance document: Address (Number and Street): City, State, and ZIP Code: Telephone Number: E-mail:	
--	--	---	--

Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act".

X *[Signature]*
 Signature of Seller
 Printed Name of Seller: Andrew Code, Mayor
 Sign Date (MM/DD/YYYY): 02/14/13

BUYER(S)/GRANTEE(S) APPLICATION FOR PROPERTY TAX DEDUCTIONS. IDENTIFY ALL ITEMS THAT APPLY. STATE OF INDIANA (INDOT) Buyer 1 - Name as appears on conveyance document 100 N. SENATE ROOM N642 Address (Number and Street) INDIANAPOLIS, IN 46204 City, State, and ZIP Code (317) 232-5050 rhazzard@indot.in.gov Telephone Number E-mail		Buyer 2 - Name as appears on conveyance document: Address (Number and Street): City, State, and ZIP Code: Telephone Number: E-mail:	
--	--	--	--

THE SALES DISCLOSURE FORM MAY BE USED TO APPLY FOR CERTAIN DEDUCTIONS FOR THIS PROPERTY. IDENTIFY ALL OF THOSE THAT APPLY.

YES	NO	CONDITION	YES	NO	CONDITION
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Will this property be the buyer's primary residence? Provide complete address of primary residence, including county: 100 N. Senate Avenue, Room N642 Address (Number and Street) Indianapolis, IN 46204 Marion City, State ZIP Code County	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. Homestead
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Does the buyer have a homestead in Indiana to be vacated for this residence? If yes, provide complete address of residence being vacated, including county: Address (Number and Street) City, State ZIP Code County	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Solar Energy Heating/Cooling System
			<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Wind Power Device
			<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. Hydroelectric Power Device
			<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Geothermal Energy Heating/Cooling Device
			<input type="checkbox"/>	<input checked="" type="checkbox"/>	8. Is this property a residential rental property?
			<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Would you like to receive tax statements for this property via e-mail? (Provide contact information below. Please see instructions for more information. Not available in all counties.) Primary property owner contact name: E-mail:

Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act". (Note: Spouse information, Social Security and Driver's License/Other numbers are not necessary if no Homestead Deduction is being filed.)

Signature of Buyer 1	Signature of Buyer 2/Spouse
Printed Legal Name of Buyer 1	Printed Legal Name of Buyer 2/Spouse
Sign Date (MM/DD/YYYY)	Sign Date (MM/DD/YYYY)
Last 5 digits of Buyer 1 Driver's License/ID/Other Number	Last 5 digits of Buyer 2/Spouse Driver's License/ID/Other Number
State	State
Last 5 Digits of Social Security Number	Last 5 Digits of Social Security Number

PART 2 - COUNTY ASSESSOR

The county assessor must verify and complete items 1 through 14 and stamp the sales disclosure form before sending to the auditor:

1. Property	2. AV Land	3. AV Improvement	4. Value of Personal Property	5. AV Total	6. Property Class Code	7. Neighborhood Code	8. Tax District	9. Acreage
A.)								
B.)								

Assessor Stamp	10. Identify physical changes to property between March 1 and date of sale.	YES	NO	CONDITION
	_____	<input type="checkbox"/>	<input type="checkbox"/>	11. Is form completed?
	_____	<input type="checkbox"/>	<input type="checkbox"/>	12. State sales fee required?
	_____	13. Date of sale (MM/DD/YYYY): _____		
_____		14. Date form received (MM/DD/YYYY): _____		

Items 15 through 18 are to be completed by the assessor when validating this sale:

15. If applicable, identify any additional special circumstances relating to validation of sale.	YES	NO	CONDITION
_____	<input type="checkbox"/>	<input type="checkbox"/>	16. Sale valid for trending?
_____	<input type="checkbox"/>	<input type="checkbox"/>	17. Validation of sale complete?
_____	18. Validated by: _____		

PART 3 - COUNTY AUDITOR

Auditor Stamp	1. Disclosure fee amount collected: \$ _____	YES	NO	CONDITION
	2. Other Local Fee: \$ _____	<input type="checkbox"/>	<input type="checkbox"/>	6. Is form completed?
	3. Total Fee Collected: \$ _____	<input type="checkbox"/>	<input type="checkbox"/>	7. Is state fee collected?
	4. Auditor receipt book number: _____	<input type="checkbox"/>	<input type="checkbox"/>	8. Attachments complete?
	5. Date of transfer (MM/DD/YYYY): _____			

PART 4 - RECEIPT FOR STATEMENT OF DEFICIENCY OR ASSESSOR VALUATION

SDF ID _____	SDF Date (MM/DD/YYYY) _____	Buyer 1 - Name as appears on conveyance document _____
Parcel Number _____		Address of Property (Number and Street) _____
Check all that apply:		City, State, and ZIP Code of Property _____
<input type="checkbox"/> Homestead	<input type="checkbox"/> Solar Energy	<input type="checkbox"/> Wind Power
<input type="checkbox"/> Hydroelectric	<input type="checkbox"/> Geothermal	<input type="checkbox"/> Rental Property
<input type="checkbox"/> Electronic Statement (e-mail)		Auditor Signature _____ Date (MM/DD/YYYY) _____

A person who knowingly and intentionally falsifies value of transferred real property, or omits or falsifies any information required to be provided in the sales disclosure form commits a Class C felony.

EXHIBIT "A"

PROJECT: 0710215

CODE: 5307

Sheet 1 of 2

PARCEL NO.: 216-Fee Simple

Form WL-2

Key Number 29-09-12-000-020-001-015

Part of the Southeast Quarter of Section 12, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning on the south line of said section South 88 degrees 30 minutes 16 seconds West 632.96 feet from the southeast corner of said section; thence continuing South 88 degrees 30 minutes 16 seconds West 91.99 feet along said line to the southwest corner of said grantor's land; thence North 3 degrees 02 minutes 25 seconds West 31.28 feet along the western line of said grantor's land to point "21612" on said plat; thence South 89 degrees 46 minutes 40 seconds East 90.88 feet to the northwestern boundary of the intersection of U.S. 31 and 156th Street, designated as point "21607" on said plat; thence South 23 degrees 06 minutes 16 seconds West 8.37 feet along said boundary to the north boundary of said 156th Street; thence South 16 degrees 10 minutes 13 seconds East 21.64 feet to the point of beginning containing 0.061 acres more or less, inclusive of the presently existing right of way for 156th Street which contains 0.043 acres more or less.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengt, Indiana Registered Land Surveyor, License Number LS80040408, on the 26th day of August, 2011

Fred L. Bengt
Fred L. Bengt

EXHIBIT "A"

PROJECT: 0710215

CODE: 5307

Sheet 2 of 2

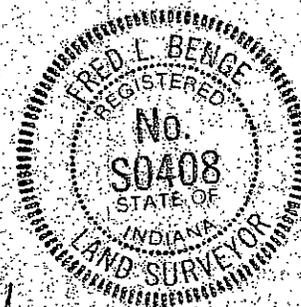
PARCEL NO.: 216A- Fee Simple with Full Limitation of Access

Form WL-2

Key Number 29-09-12-000-020.001-015

Part of the Southeast Quarter of Section 12, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Commencing at the southeast corner of said section; thence South 88 degrees 30 minutes 16 seconds West 632.96 feet along the south line of said section; thence North 16 degrees 10 minutes 13 seconds West 21.64 feet to the southwestern end of the northwestern boundary of the intersection of 156th Street and U.S. 31; thence North 23 degrees 06 minutes 16 seconds East 86.63 feet along said boundary to the western boundary of said U.S. 31; thence North 15 degrees 11 minutes 01 second West 101.06 feet along said boundary to the point of beginning of this description, designated as point "21614" on said plat; thence North 21 degrees 50 minutes 05 seconds West 151.16 feet to point "21615" on said plat; thence North 13 degrees 41 minutes 14 seconds West 440.92 feet to the northern line of said grantor's land designated as point "21616" on said plat; thence North 87 degrees 34 minutes 55 seconds East 16.34 feet along said line to the western boundary of said U.S. 31; thence South 13 degrees 37 minutes 46 seconds East 366.50 feet along said boundary; thence South 15 degrees 11 minutes 01 second East 220.94 feet along said boundary to the point of beginning, containing 0.191 acres more or less.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0900269), to and from the grantor's abutting lands along the 151.16-foot, and the 440.92-foot courses described above. Also, beginning at the southeastern end of the 101.06-foot course described above; thence South 13 degrees 50 minutes 20 seconds East 102.07 feet and terminating on the south line of said section. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengt, Indiana Registered Land Surveyor, License Number LS80040408, on the 26th day of August, 2011.

Fred L. Bengt
Fred L. Bengt

Rev. Form T-3
Rev. 7-1-07

TEMPORARY HIGHWAY EASEMENT GRANT (GENERAL)

DES: 0900269
Project: 0710215
Code: 5307
Parcel: 216B
Page: 1 of 4

THIS INDENTURE WITNESSETH, that THE CITY OF WESTFIELD, INDIANA (fka The Town of Westfield, Indiana), the Grantor, of Hamilton County, State of Indiana, Grant to the **STATE OF INDIANA**, the Grantee, for and in consideration of Twelve Thousand, Ten and NO/100 Dollars (\$12,010.00) (of which said sum \$-0- represents land improvements acquired and \$12,010.00 represents land temporarily encumbered and damages) and other valuable consideration, the receipt of which is hereby acknowledged, a temporary easement to enter upon and have possession of the Real Estate of the Grantor(s) for the purpose of bridge construction which said work is incidental to the construction of the highway facility known as U.S. 31 and as Project 0710215, which said Real Estate situated in the County of Hamilton, State of Indiana, and which is more particularly described in the legal description(s) attached hereto as Exhibit "A" which is incorporated herein by reference, which said temporary easement shall be extinguished, become void and revert to the Grantor(s) and/or the Grantor(s) successor(s) in title upon completion of the said Project. The said extinguishment shall be evidenced by a release document which shall be executed and recorded by the Grantee at no cost to the Grantor(s).

Interests in land acquired by the
Indiana Department of Transportation
100 N. Senate Avenue, Room N642
Indianapolis, IN 46204

I.C. 8-23-7-31

DES: 0900269
Project: 0710215
Code: 5307
Parcel: 216B
Page: 2 of 4

Any and all timber, shrubbery, fences, buildings and any other improvements situated within the area of the temporary easement granted herein shall become the property of the State except:

The said Grantor(s) acknowledge(s) that all provisions of this grant of temporary easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor(s), for the purpose of inducing the State of Indiana to accept this grant and to pay the hereinbefore referenced consideration, represent(s) that the Grantor(s) is the owner(s) in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens (except current real estate taxes and assessments) of any kind or character which would be inconsistent with the temporary rights granted herein.

The undersigned represents and warrants that he is the Mayor of the Grantor; that pursuant to resolution of the City Council he has full authority to manage the affairs of said City and sign and execute documents on its behalf and that said authority has not been revoked, and that he is therefore, fully authorized and empowered to convey to the State of Indiana real estate of the City, and that on the date of execution of said conveyance instruments he had full authority to so act.

DES: 0900269
Project: 0710215
Code: 5307
Parcel: 216B
Page: 3 of 4

IN WITNESS WHEREOF, the said Grantor(s) ha February 2012 executed this instrument this 14 day of

THE CITY OF WESTFIELD, INDIANA

BY: [Signature] (Seal)
J. Andrew Cook, Mayor
Printed Name and Title

STATE OF Indiana
COUNTY OF Hamilton SS:

Before me, a Notary Public in and for said State and County, personally appeared The City of Westfield, Indiana (f/k/a The Town of Westfield, Indiana), By: J. Andrew Cook the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be his voluntary act and deed and whom, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 14 day of February, 2012.
[Signature]
Signature

Anne M. Cotham
Printed Name

My Commission expires April 14, 2016

I am a resident of Hamilton County.

DES: 0900269
Project: 0710215
Code: 5307
Parcel: 216B
Page: 4 of 4

This instrument prepared by and I affirm, that under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Deputy Attorney General

Attorney No. _____
Office of the Indiana Attorney General
302 W. Washington Street, 5th Floor
Indianapolis, IN 46204-2770

Grantee Tax Mailing Address:
INDOT
100 N. Senate Avenue, Room N642
Indianapolis, IN 46204

EXHIBIT "A"

PROJECT: 0710215

CODE: 5307

Sheet 1 of 1

PARCEL NO.: 216B-Temporary Right of Way for bridge Construction

Form T-3

Part of the Southeast Quarter of Section 12, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, described as follows: Commencing at the southeast corner of said section; thence South 88 degrees 30 minutes 16 seconds West 632.96 feet along the south line of said section; thence North 16 degrees 10 minutes 13 seconds West 21.64 feet to the north boundary of 156th Street; thence South 88 degrees 30 minutes 16 seconds West 19.64 feet along said boundary to the point of beginning of this description; thence continuing South 88 degrees 30 minutes 16 seconds West 20.10 feet along said boundary; thence North 10 degrees 40 minutes 33 seconds West 230.95 feet; thence North 13 degrees 52 minutes 28 seconds West 200.01 feet; thence North 75 degrees 15 minutes 44 seconds East 70.84 feet to the western boundary of U.S. 31; thence South 13 degrees 37 minutes 46 seconds East 49.07 feet along said boundary; thence South 15 degrees 11 minutes 01 second East 150.94 feet along said boundary; thence South 75 degrees 15 minutes 58 seconds West 48.14 feet; thence South 2 degrees 03 minutes 13 seconds East 41.00 feet; thence South 10 degrees 41 minutes 25 seconds East 195.46 feet to the point of beginning and containing 0.439 acres more or less.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengel, Indiana Registered Land Surveyor License Number LS80040408 on the 26th day of August, 2011

Fred L. Bengel
Fred L. Bengel

Project: 0710215 Parcel: 216

If you decide to accept the offer of \$34,985.00 made by the Indiana Department of Transportation, sign your name below and mail this form to the address indicated above. An additional copy of this offer has been provided for your file.

ACCEPTANCE OF OFFER

I (We), The City of Westfield, Indiana, landowner(s) of the above described property or interest in property and access rights, hereby accept the offer of: \$34,985.00 made by the Indiana Department of Transportation on this 14 day of February, 2013.

THE CITY OF WESTFIELD, INDIANA

By: [Signature]
J. Andrew Cook, Mayor
Printed Name and Title

NOTARY'S CERTIFICATE

STATE OF Indiana)
COUNTY OF Hamilton) SS:

Subscribed and sworn to before me this 14 day of February, 2013.

My commission expires: April 14, 2016
My county of residence is: Hamilton

[Signature]
(Signature)

Anne M. Cochran
(Printed) Notary Public