

RECEIVED FOR RECORD

at.....10:41 A.M.

.....July 26 1979

ESTELLA M. MOSS, RECORDER

VANDERBURGH COUNTY

CORRECTIVE WARRANTY DEED

PROJECT RF-28(14)

CODE 1132

PARCEL 19

VOL 683 PAGE 465

79-15005

THIS INDENTURE, MADE THIS 26th DAY OF June, 1979, BETWEEN Bernard W. Rexing and Renate Rexing (Adults, Husband and Wife) OF Vanderburgh County, Indiana, OF THE FIRST PART, AND THE STATE OF INDIANA, OF THE SECOND PART, WITNESSETH:

WHEREAS, THE PARTY OF THE FIRST PART DID, ON OR ABOUT THE 19TH DAY OF JANUARY, 1976, EXECUTE AND DELIVER TO THE PARTY OF THE SECOND PART, FOR THE CONSIDERATION THEREIN MENTIONED, A CONVEYANCE OF CERTAIN ACCESS RIGHTS IN VANDERBURGH COUNTY, INDIANA, HEREINAFTER MORE PARTICULARLY DESCRIBED, WHICH SAID CONVEYANCE IS RECORDED IN DEED RECORD 627, PAGES 328-29, IN THE OFFICE OF THE RECORDER OF VANDERBURGH COUNTY, INDIANA; AND,

WHEREAS, IN SAID CONVEYANCE, BY MISTAKE, THE LEGAL DESCRIPTION WAS WRITTEN:

FOR THE PURPOSES OF ESTABLISHING A LIMITED ACCESS FACILITY, 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.R. 41 AND BASE LINE ROAD AND AS PROJECT RF-28(14)), TO AND FROM THE OWNERS' ABUTTING LANDS, ALONG THE LINES DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 10 WEST, VANDERBURGH COUNTY, INDIANA; THENCE NORTH 89 DEGREES 51 MINUTES 26 SECONDS WEST 152.42 FEET ALONG THE NORTH LINE OF SAID SECTION; THENCE SOUTH 0 DEGREES 08 MINUTES 34 SECONDS WEST 20.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, WHICH POINT IS WHERE THE SOUTH BOUNDARY OF BASE LINE ROAD MEETS THE SOUTHWESTERN BOUNDARY OF THE INTERSECTION OF SAID BASE LINE ROAD AND U.S.R. 41; THENCE SOUTH 35 DEGREES 52 MINUTES 12 SECONDS EAST 123.72 FEET ALONG THE BOUNDARY OF THE INTERSECTION OF SAID U.S.R. 41 AND SAID BASE LINE ROAD TO THE WEST BOUNDARY OF SAID U.S.R. 41; THENCE ALONG THE BOUNDARY OF SAID U.S.R. 41 SOUTHERLY 495.35 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 7,256.97 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 2 DEGREES 05 MINUTES 20 SECONDS WEST AND A LENGTH OF 495.26 FEET; THENCE SOUTH 0 DEGREES 08 MINUTES 00 SECONDS WEST 491.13 FEET ALONG SAID BOUNDARY TO THE TERMINUS. ALSO, BEGINNING ON SAID BOUNDARY SOUTH 0 DEGREES 08 MINUTES 00 SECONDS WEST 50.00 FEET FROM THE SOUTH END OF THE 491.13-FOOT COURSE DESCRIBED ABOVE; THENCE SOUTH 0 DEGREES 08 MINUTES 00 SECONDS WEST 226.00 FEET ALONG SAID BOUNDARY; THENCE NORTH 89 DEGREES 52 MINUTES 00 SECONDS WEST 5.00 FEET ALONG SAID BOUNDARY; THENCE SOUTH 0 DEGREES 08 MINUTES 00 SECONDS WEST 631.27 FEET ALONG SAID BOUNDARY AND TERMINATING ON THE SOUTH LINE OF THE OWNERS' LAND. ALSO, BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION SOUTH 89 DEGREES 51 MINUTES 26 SECONDS EAST 100.17 FEET FROM THE SOUTHWEST CORNER OF SAID QUARTER-QUARTER SECTION, WHICH POINT IS ON THE EAST BOUNDARY OF SAID U.S.R. 41; THENCE NORTH 0 DEGREES 30 MINUTES 44 SECONDS EAST 226.02 FEET ALONG THE BOUNDARY OF SAID U.S.R. 41 TO THE TERMINUS. ALSO, BEGINNING ON SAID BOUNDARY NORTH 0 DEGREES 30 MINUTES 44 SECONDS EAST 50.00 FEET FROM THE NORTH END OF THE 226.20-FOOT COURSE DESCRIBED ABOVE; THENCE NORTH 0 DEGREES 30 MINUTES 44 SECONDS EAST 480.01 FEET ALONG SAID BOUNDARY; THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 11.13 FEET; THENCE ALONG SAID BOUNDARY AND SAID BOUNDARY, PROLONGED NORTHERLY 502.40 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 7,070.97 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 2 DEGREES 10 MINUTES 08 SECONDS EAST AND A LENGTH OF 502.30 FEET; THENCE NORTH 35 DEGREES 48 MINUTES 11 SECONDS EAST 113.88 FEET TO THE TERMINUS. THE ABOVE-DESCRIBED ACCESS CONTROL LINE RESTRICTION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING ON ALL SUCCESSORS IN TITLE TO THE SAID ABUTTING LANDS.

INSTEAD OF THE FOLLOWING DESCRIPTION:

FOR THE PURPOSES OF ESTABLISHING A LIMITED ACCESS FACILITY, 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.R. 41 AND BASE LINE ROAD AND AS PROJECT RF-28(14)), TO AND FROM THE OWNERS' ABUTTING LANDS, ALONG THE LINES DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 10 WEST, VANDERBURGH COUNTY, INDIANA; THENCE NORTH 89 DEGREES 56 MINUTES 36 SECONDS WEST 127.20 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE WEST BOUNDARY OF U.S.R. 41; THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 349.08 FEET ALONG THE BOUNDARY OF SAID U.S.R. 41; THENCE NORTH 5 DEGREES 41 MINUTES 35 SECONDS WEST 98.51 FEET ALONG SAID BOUNDARY; THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 293.00 FEET ALONG SAID BOUNDARY TO THE SOUTH LINE OF THE OWNERS' LAND AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 631.27 FEET ALONG THE BOUNDARY OF U.S.R. 41; THENCE SOUTH 89 DEGREES 52 DEGREES 00 SECONDS EAST 5.00 FEET ALONG SAID BOUNDARY;

JUL 26 1979
CHD
MWN
JDT
Buck
R.P.
5-1-79 LJ PBN 26-79

Instrument Continued On Next Page

THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 226.00 FEET ALONG SAID BOUNDARY TO THE TERMINUS. ALSO, BEGINNING ON SAID BOUNDARY NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 50.00 FEET FROM THE NORTH END OF THE 226.00-FOOT COURSE DESCRIBED ABOVE; THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 491.13 FEET ALONG SAID BOUNDARY; THENCE ALONG SAID BOUNDARY NORTHERLY 495.35 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 7,256.97 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 2 DEGREES 05 MINUTES 20 SECONDS EAST AND A LENGTH OF 495.26 FEET TO THE SOUTHWESTERN BOUNDARY OF THE INTERSECTION OF U.S.R. 41 AND BASE LINE ROAD; THENCE NORTH 35 DEGREES 52 MINUTES 12 SECONDS WEST 123.72 FEET ALONG THE BOUNDARY OF THE INTERSECTION OF SAID U.S.R. 41 AND BASE LINE ROAD AND TERMINATING WHERE SAID SOUTHWESTERN BOUNDARY MEETS THE SOUTH BOUNDARY OF BASE LINE ROAD. ALSO, COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 56 MINUTES 36 SECONDS EAST 48.80 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE EAST BOUNDARY OF U.S.R. 41; THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 1,372.83 FEET ALONG SAID BOUNDARY TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 5 AND THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE NORTH 0 DEGREES 30 MINUTES 44 SECONDS EAST 226.02 FEET ALONG THE BOUNDARY OF SAID U.S.R. 41 TO THE TERMINUS. ALSO, BEGINNING ON SAID BOUNDARY NORTH 0 DEGREES 30 MINUTES 44 SECONDS EAST 50.00 FEET FROM THE NORTH END OF THE 226.02-FOOT COURSE DESCRIBED ABOVE; THENCE NORTH 0 DEGREES 30 MINUTES 44 SECONDS EAST 480.01 FEET ALONG SAID BOUNDARY; THENCE NORTH 0 DEGREES 08 MINUTES 00 SECONDS EAST 11.13 FEET; THENCE ALONG SAID BOUNDARY, AND SAID BOUNDARY PROLONGED, NORTHERLY 502.40 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 7,070.97 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 2 DEGREES 10 MINUTES 08 SECONDS EAST AND A LENGTH OF 502.30 FEET; THENCE NORTH 35 DEGREES 48 MINUTES 11 SECONDS EAST 113.88 FEET TO THE TERMINUS. THE ABOVE-DESCRIBED ACCESS CONTROL LINE RESTRICTION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING ON ALL SUCCESSORS IN TITLE TO THE SAID ABUTTING LANDS.

AND WHEREAS, TO PREVENT DIFFICULTIES HEREAFTER AND TO PLACE THESE PARTIES IN APPROPRIATE POSITIONS AS INTENDED BY THEM, IT IS EXPEDIENT TO CORRECT THESE ERRORS;

NOW, THEREFORE, THIS INDENTURE WITNESSETH: THAT THE PARTY OF THE FIRST PART, IN CONSIDERATION OF THE PREMISES AND OF ONE DOLLAR TO HIM PAID BY THE PARTY OF THE SECOND PART, HEREBY GRANTS, CONVEYS, RELEASES, AND CONFIRMS UNTO THE PARTY OF THE SECOND PART ALL OF THE RIGHTS TO THE LIMITED ACCESS FACILITY LAST DESCRIBED ABOVE.

IN WITNESS WHEREOF, THIS DEED HAS BEEN EXECUTED AS OF THE 26th DAY OF June, 1979, SOLELY FOR THE PURPOSE OF CORRECTING THE HEREINBEFORE MENTIONED MISTAKE.

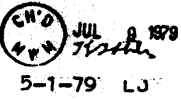
Bernard W. Rexing (SEAL)
Bernard W. Rexing
(Adult, Husband)
Renate Rexing (SEAL)
Renate Rexing
(Adult, Wife)

STATE OF INDIANA, Vanderburgh COUNTY, ss:

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, THIS 26 DAY OF June, A.D. 1979, PERSONALLY APPEARED THE WITHIN NAMED Bernard W. Rexing and Renate Rexing GRANTORS IN THE ABOVE CONVEYANCE, AND ACKNOWLEDGED THE SAME TO BE their VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES HEREIN MENTIONED.

I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL.

MY COMMISSION EXPIRES 1-28-82 Paul B. Morris NOTARY PUBLIC Paul B. MORRIS Rush County



PROJECT RF-28(14)
CODE 1132
PARCEL 19
VOL 683 PAGE 467

STATE OF INDIANA, _____ COUNTY SS:

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, THIS _____
DAY OF _____, A.D. 19_____, PERSONALLY APPEARED THE WITHIN NAMED
_____ GRANTOR _____ IN THE ABOVE
CONVEYANCE, AND ACKNOWLEDGED THE SAME TO BE _____ VOLUNTARY ACT
AND DEED, FOR THE USES AND PURPOSES HEREIN MENTIONED.

I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY

John W. Brossart

For document Applying to this deed use
Deed Cover 13 card 725

