ALTA/ACSM Land Title Survey

AREA = 47,587 SQ. FT./1.09 ACRES

PROPERTY ADDRESS:
105 N. Halleck St.
Demotte, IN. 46310

PARCEL NUMBER:
(Parent Parcel)
37-15-23-000-008.000-025

PLAT OF SURVEY

of

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 32 NORTH, RANGE 7 WEST, DESCRIBED AS FOLLOWS:

THE WEST 267.00 FEET EXCEPT THE NORTH 109.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 23, SAID BEGINNING POINT BEING THE POINT OF INTERSECTION OF INDIANA STATE HIGHWAY #53 CENTERLINE WITH THE CENTERLINE OF THE EXISTING COUNTY ASPHALT HIGHWAY ALONG THE SOUTH LINE OF SAID SECTION 23; FROM THENCE NORTH 00°54'00" WEST ALONG SAID STATE HIGHWAY CENTERLINE A DISTANCE OF 300 FEET; THENCE EAST 30 FEET TO A METAL SURVEY-MARKER ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY; THENCE CONTINUING EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID SECTION, 870 FEET TO A SECOND METAL-MARKER; THENCE SOUTH 00°54'00" EAST 260 FEET TO A THIRD METAL-MARKER; ON THE NORTH BERM OF AN OLD OPEN DRAINAGE DITCH; THENCE CONTINUING SOUTH 40 FEET TO A SURVEY CAP ON THE SOUTH LINE OF SAID SECTION, SAID LINE BEING IN THE NORTHERLY PART OF SAID EXISTING COUNTY HIGHWAY; THENCE DUE WEST ALONG SAID SOUTH LINE AND/OR COUNTY HIGHWAY CENTERLINE A DISTANCE OF 700 FEET TO THE PLACE OF BEGINNING.

EXCEPT THEREFROM THAT PART CONVEYED TO THE TOWN OF DEMOTTE, INDIANA BY A DEED RECORDED MARCH 25, 1997 IN DEED RECORD 226, PAGE 161 AS INSTRUMENT NO. 13340 IN THE OFFICE OF THE RECORDER OF JASPER COUNTY, INDIANA, TO-WIT:

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 32 NORTH, RANGE 7 WEST, JASPER COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 0 DEGREES 54 MINUTES 00 SECONDS WEST 300.00 FEET ALONG THE WEST LINE OF SAID SECTION TO THE NORTHWEST CORNER OF THE OWNER'S LAND; THENCE SOUTH 89 DEGREES 51 MINUTES 49 SECONDS EAST 35.01 FEET ALONG THE NORTH LINE OF THE OWNER'S LAND; THENCE SOUTH 0 DEGREES 54 MINUTES 00 SECONDS EAST 262.37 FEET; THENCE SOUTH 57 DEGREES 53 MINUTES 40 SECONDS EAST 23.85 FEET TO THE NORTH BOUNDARY OF DIVISION STREET; THENCE SOUTH 0 DEGREES 08 MINUTES 11 SECONDS WEST 25.00 FEET TO THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89 DEGREES 51 MINUTES 49 SECONDS WEST 54.56 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 11,122 SQUARE FEET, MORE OR LESS.

ALSO EXCEPT THAT PART CONVEYED TO THE TOWN OF DEMOTTE, INDIANA BY DEED RECORDED JULY 12, 2013 AS INSTRUMENT NO. 135857 IN THE OFFICE OF THE RECORDER OF JASPER COUNTY, INDIANA, TO-WIT:

A PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 32 NORTH, RANGE 7 WEST, JASPER COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE SOUTH 89°39'57" EAST, 211.31 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°20'03" EAST, 30.00 FEET TO A POINT; THENCE 89°39'57" EAST, 487.76 FEET TO A POINT, ALSO BEING A POINT ON THE EAST LINE OF THE GRANTOR'S LAND; THENCE SOUTH 00°32'42" EAST ALONG THE EAST LINE OF THE GRANTOR'S LAND, 31.47 FEET TO A POINT, ALSO BEING A POINT ON THE SOUTH LINE OF THE GRANTOR'S LAND; THENCE NORTH 89°32'45" WEST ALONG THE SOUTH LINE OF THE GRANTOR'S LAND, 488.25 FEET TO A POINT; THENCE NORTH 00°20'03" EAST, 0.44 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.35 ACRE, MORE OR LESS.

The property described and shown hereon is the same property as described in

Surveyor's Report

Theory of Location:

This survey is a retracement survey of the subject parcel, and the location of the parcel lines are based on found monumentation in Prospect Hill Addition No. 3 and the section breakdown of section 23-35-7 and found adjoiner monumentation.

The following documents were used in the course of this survey:

1. Deed in Trust for subject property, Deed Record 237 Page 415, Recorded Dec. 27, 1999.
2. Quitclaim Deed for right-of-way, Instrument No. 13340 Deed Record 226 Page 161, Recorded Mar. 25, 1997.
3. Warranty Deed for right-of-way, Instrument No. 135857 Recorded Jul. 12, 2013.
4. Warranty Deed for adjoiner parcel, Instrument No. 1127 Deed Record 156 Page 238, Recorded Feb. 15, 1961.
5. Warranty Deed for adjoiner parcel, Instrument No. 419 Deed Record 188 Page 545, Recorded Feb. 15, 1960.
5. Temporary Highway Easement Grant, Instrument No. 135858, Recorded Jul. 12, 2013.
6. The recorded subdivision plat of Prospect Hill Addition No. 3.
7. Section corner records 2332701, 23327A01, 23327E01, 23327E09, 23327I03, 23327I09 and 23327A09.
8.
9. Plat of description of subject propert prepared by Turning Point Surveying Job No. 40-2013 Dated 03-27-2013.

The following monuments were used for this survey:

Section 23-35-7 was broken down per the recorded monument records. Found monumentation from Prospect Hill Addition No. 3 fit well with recorded dimensions and were held for this survey. The location of Prospect Hill Addition No. 3 fits 0.5'± east with the section solution for the subject parcel. The two right-of-way takings shown on the survey fit well with recorded dimensions and were held for this survey. If nothing was found, new monuments were placed at the corners to represent the results of this survey.

Availability and Condition of Referenced Monuments:

Unless otherwise stated on the plat, found monuments were undisturbed, in good condition, of unknown origin, and at or near grade.

Occupation or Possession lines:

There were no occupation or possession lines observed during the course of this survey.

Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines:

There was no issues seen with the subject or adjoiner parcels.

Relative Positional Accuracy:

The relative positional accuracy for this survey met the requirements of an "Suburban survey", per Title 865 IAC 1-12-7. The allowable relative accuracy, per the rule for this survey was within the allowable (0.13 Feet plus 100 parts per million).

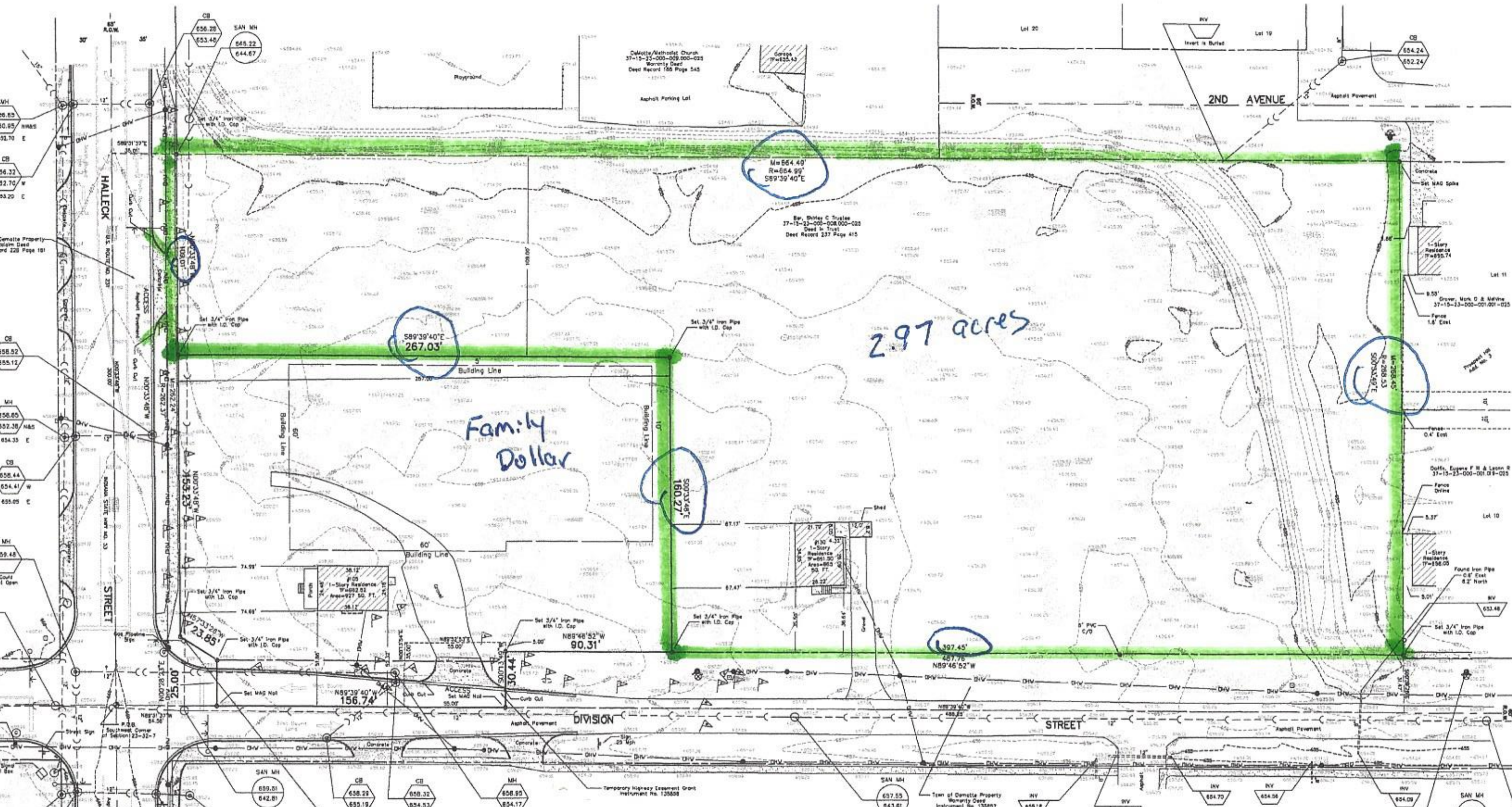
To:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 6(b), 7(a), 7 (b1), 7(c), 8, 9, 11(b), 13, 14, 16-19, 20(a), 20(b) AND 21 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 22, 2014.

DATE OF PLAT OR MAP: APRIL 3, 2014

FOR REVIEW

ANTHONY D. SMIERCIAK, INDIANA REGISTERED LAND SURVEYOR NO. LS20800129



Recorded Documents

Per Stewart Title Guaranty Company commitment number 1077-9338, dated March 25, 2013, Special Exceptions per Schedule B are as follows:

Quitclaim Deed for right-of-way, Instrument No. 13340 Deed Record 226 Page 161, Recorded Mar. 25, 1997. – PLOTTED ON SURVEY.

Warranty Deed for right-of-way, Instrument No. 135857 Recorded Jul. 12, 2013. – PLOTTED ON SURVEY.

7. Temporary Highway Easement for construction of a driveway, Instrument No. 135858, Recorded Jul. 12, 2013. – PLOTTED ON SURVEY.

8. Mortgage dated Oct 12, 2011, Instrument No. 124817, Recorded Nov. 8, 2011. – NOT A SURVEY MATTER.

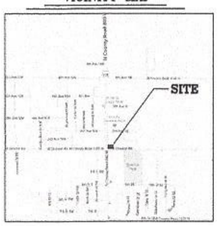
NOTES:

1. BASIS OF BEARINGS: INDIANA SPC WEST ZONE.
2. ALL RECORDED PARCEL BEARINGS WERE ROTATED TO MACTH THE BEARINGS PER THE SPC INDIANA WEST ZONE.
3. DIMENSIONS ARE NOT TO BE ASSUMED OR SCALED.

REVISIONS

Description:	By:	Date:

VICINITY MAP



JOB NO: 13-264

ORDERED BY: SMR Acquisitions Company, LLC

Table A Items

1. Monuments were placed or located at the corners of the subject property as shown on the survey.

2. The address of the property is shown on the survey.

3. Flood Zone Classification: The property is located in a Unmapped area per the the FIRM flood insurance rate map for Jasper County, Indiana.

4. The gross land area is shown on the survey.

5. The vertical relief for the property is shown in 1 foot contour intervals. The contours were generated using points that were shot using a combination of GPS and total station observations. The datum and site benchmark are shown on the survey.

6(b). Zoning Requirements

Source of Zoning Information: Demotte zoning Code

Phone Number: (219) 987-3831

The effective date of the current zoning requirements is: 10-18-2004

The current zoning classification is: B-2 (General Business District)

The current parking requirements are: Type of Use (Department Store) – 1 per each employee on duty, plus 1 per 200 square feet of display area and sales floor.

Building Setback Requirements

Front: 60 Feet Side: 5 Feet (abutting residential district – 10 feet) Rear: 25 Feet

Building Height Restrictions: The maximum building height for B-2 (General Business District) is 35 feet.

Floor Space Area Restrictions: None.

The information shown on the survey and listed here was requested by the client, but we suggest that the client and insurer read the current zoning ordinance and make your own interpretations regarding the complexity of zoning issues.

7(a). The exterior dimensions of the buildings are shown on the plat.

7(b1). The square footage of the exterior footprint of the buildings are shown on the plat.

7(c). The measured height of the buildings are shown on the plat.

8. Substantial features observed in the process of conducting this survey are shown on the plat.

9. There striped parking spaces are shown on the survey, if any.

11(b). A locate ticket was made to "Indiana 811" ticket number 1401211183 and will expire on 2-10-14. The location of the located utility flags are described and shown on the survey. Source information from the locate markings will be combined with observed evidence of utilities to develop a view of those underground utilities. However, lacking excavation, the exact location of the underground features cannot be accurately, completely reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary.

13. The names of the adjoiners are shown on the survey.

14. The nearest intersecting street is Halleck Street and Division Street as shown on the survey.

16. No evidence of current earth moving work, building construction or building additions were observed in the process of conducting this survey.

17. No observed evidence of recent street or sidewalk construction or repairs were seen during the completion of this survey. No evidence was found for proposed changes in street right of way lines.

18. No evidence was observed of site use as a solid waste dump, sump or sanitary landfill during the completion of this survey. Due to the lack of knowledge, training and education in environmental matters of the surveyor, the client is advised to obtain a Phase One Environmental Assessment on the subject property if they would like further analysis.

19. No evidence of potential wetlands were observed on the subject property at the time the survey was conducted, nor have we received any documentation of any wetlands being located on the subject property.

20(a). There were no offsite easements located for the subject property.

20(b). There were no offsite easements located for the subject property.

21. Professional liability insurance was obtained throughout the contract term of the project.

Legend

Red/Electric – Utility Locate Flag/Paint
Yellow/Gas – Utility Locate Flag/Paint
Orange/Communication – Utility Locate Flag/Paint
Green/Sewer – Utility Locate Flag/Paint
Blue/Water – Utility Locate Flag/Paint
Street Sign
Utility Pole
Utility Pole Anchor
Street Light
Light Pole
Traffic Signal Mast
Mail Box
Communication Pedestal
Gas Valve
Fire Hydrant
Water Valve
B-Box
Storm Manhole/Catch Basin
Manhole
Traffic Signal Manhole
Gas Valve
CB: Rim Elevation / Invert Elevation
SAN MH: Sanitary MH, Rim Elevation, Invert Elevation
Deciduous Tree
Contour Lines
Wood Fence
Overhead Wires
Property Line
Right of Way
Underlying or Adjacent Property Line
Easement
Lane Striping
Storm Line
Sanitary Line
Guard Rail
Bollard
Sanitary Manhole
Set/Found Monumentation
Metal Fence
Tree Line

North
SCALE: 1" = 30'

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