BOARD OF PUBLIC WORKS AND SAFETY
CITY OF NOBLESVILLE

DATE: NOVEMBER 7, 2017

PREVIOUSLY DISCUSSED ITEMS

NEW ITEMS FOR DISCUSSION XXX

MISCELLANEOUS

ITEM# #10

SOURCE:

DOCUMENTS PREPARED BY: JOHN BEERY

VERBAL:

INFORMATION ATTACHED: XXX

NO PAPERWORK AT TIME OF PACKETS:

BRING PAPERWORK FROM PREVIOUS MEETING:

MEMORANDUM

TO: **BOARD OF PUBLIC WORKS AND SAFETY**

FROM: **JOHN BEERY, CITY ENGINEER**

DATE: **NOVEMBER 2, 2017**

RE: **DEDICATION OF RIGHT-OF-WAY FOR 141ST STREET EAST OF OLIO ROAD**

Attached is a deed for the dedication of right-of-way for 141st Street east of Olio Road. This dedication is part of the 141st Street improvements for the BorgWarner project, which the City is managing.

I recommend that the Board of Public Works approve and execute the attached deed and record the document.

REFERENCE DEED # 2017-34318
REFERENCE DEED #2017-24627

Form RW-1
8/98

DEDICATION AND GRANT OF RIGHT-OF-WAY

Project: 141st St.
Code:
Parcel: 1
Page: 1 of 2

THIS INDENTURE WITNESSETH, That, THE CITY OF NOBLESVILLE, as owner of record for County Parcels 13-11-24-00-00-032.000 and 13-11-24-00-00-033.000 , the Grantor(s), through its Board of Public Works and Safety, Grant(s) and Dedicates(s) to THE CITY OF NOBLESVILLE, INDIANA, the Grantee, for and in consideration for the sum of $1.00, represents land and improvements acquired and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Hamilton, State of Indiana, and being more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B", both pages of Exhibits are incorporated herein by reference.

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.

Interests in land acquired by
The City of Noblesville, Indiana
Grantee mailing address:
16 S. 10th Street
c/o Clerk/Treasurer's Office
Noblesville, IN 46060

This Instrument Prepared By Mike Howard,
Attorney at Law
694 Logan Street
Noblesville, IN 46060

REFERENCE DEED # 2017-34318
REFERENCE DEED #2017-24627

Project: 141st St
Code:
Parcel: 1
Page: 2 of 2

IN WITNESS WHEREOF, the said Grantor(s) have executed this instrument this

_____day of _____, 20_____.

FOR CITY OF NOBLESVILLE, BY AND THROUGH ITS BOARD OF PUBLIC WORKS AND SAFETY

_____(Seal)
Signature

_____
By: Printed Name, Title

STATE OF_____:
SS:
COUNTY OF_____:

Before me, a Notary Public in and for said State and County, personally appeared THE PRESIDENT OF THE NOBLESVILLE BOARD OF PUBLIC WORKS:

_____
Print Title and Name

the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be its voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this _____ day of _____, 20_____.

AFFIX NOTARY SEAL BELOW

_____
Signature

_____
Printed Name

My Commission expires _____

I am a resident of _____County.

EXHIBIT "A"

PART OF THE S.W. QUARTER, SECTION 24, TOWNSHIP 18 NORTH, RANGE 5 EAST

FALL CREEK TOWNSHIP, HAMILTON COUNTY, INDIANA

LAND DESCRIPTION

DESCRIPTION OF REAL ESTATE:

PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 5 EAST LOCATED IN FALL CREEK TOWNSHIP, HAMILTON COUNTY, INDIANA BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 5 EAST; THENCE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER NORTH 89 DEGREES 52 MINUTES 27 SECONDS EAST (ASSUMED BEARING) 447.29 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION:

THENCE CONTINUING ON SAID NORTH LINE NORTH 89 DEGREES 52 MINUTES 27 SECONDS EAST 867.31 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON THE EAST LINE OF THE SAID NORTHWEST QUARTER SOUTH 00 DEGREES 17 MINUTES 13 SECONDS EAST 60.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 27 SECONDS WEST 867.60 FEET TO THE RIGHT OF WAY LINE 141ST STREET PER INSTRUMENT No. 2009040286; THENCE NORTH 00 DEGREES 01 MINUTES 04 SECONDS WEST 60.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.19 ACRES MORE OR LESS.

K. NATHAN ALTHOUSE
REGISTERED
No.
LS20400007
STATE OF
INDIANA
LAND SURVEYOR

"THE WITHIN LAND DESCRIPTION AND/OR EXHIBIT DRAWING WAS PREPARED BASED UPON RECORD INFORMATION AND/OR PRIOR SURVEYS OF THE PARENT TRACT. NO FIELD SURVEY WAS PERFORMED AND NO MONUMENTS WERE SET WITH THIS WORK. THIS LAND DESCRIPTION IS SUBJECT TO CHANGE BASED UPON A REVIEW OF A CURRENT BOUNDARY SURVEY OF THE PREMISES.

THIS SURVEY IS NOT COMPLETE AND/OR VALID WITHOUT BOTH

K. Nathan Althouse
R.L.S. LS20400007

11-1-17
DATE:

MILLER SURVEYING INC.
948 CONNER STREET
NOBLESVILLE INDIANA 46060
PH. # (317) 773-2644 FAX 773-2694

LOCATION: PART OF THE SOUTHWEST QUARTER, SECTION 24, T18N, R5E FALL CREEK TWP., HAMILTON COUNTY, INDIANA	DRAWN BY: KNA	PREPARED BY: KNA
	SCALE: 1" = 120'	FIELD BOOK:
FIELD WORK COMPLETED: NA	DATE: 11-1-17	PAGE:
CLIENT: JIM HELLMAN	JOB NUMBER	SURVEY 4 FILE:
DESCRIPTION: EXHIBIT	B37741	

EXHIBIT "B"

GRAPHIC SCALE

0 60 120 240

SCALE : 1" = 120'

THIS SURVEY IS NOT COMPLETE AND/OR VALID WITHOUT BOTH

PAGE 2 OF 2

K. Nathan Althouse

R.L.S. LS20400007

11-1-17
DATE:

K. NATHAN ALTHOUSE
REGISTERED
No.
LS20400007
STATE OF INDIANA
LAND SURVEYOR

MILLER SURVEYING INC.
948 CONNER STREET
NOBLESVILLE INDIANA 46060
PH. # (317) 773-2644 FAX 773-2694

LOCATION: PART OF THE SOUTHWEST QUARTER, SECTION 24, T18N, R5E FALL CREEK TWP., HAMILTON COUNTY, INDIANA	DRAWN BY: KNA	PREPARED BY: KNA
	SCALE: 1" = 120'	FIELD BOOK:
FIELD WORK COMPLETED: NA	DATE: 11-1-17	PAGE:
CLIENT: JIM HELLMAN	JOB NUMBER	SURVEY 4 FILE:
DESCRIPTION: EXHIBIT	B37741	