

# Right of Way Plan Development Class

Will Johnson, PLS  
INDOT Real Estate, Crawfordsville District

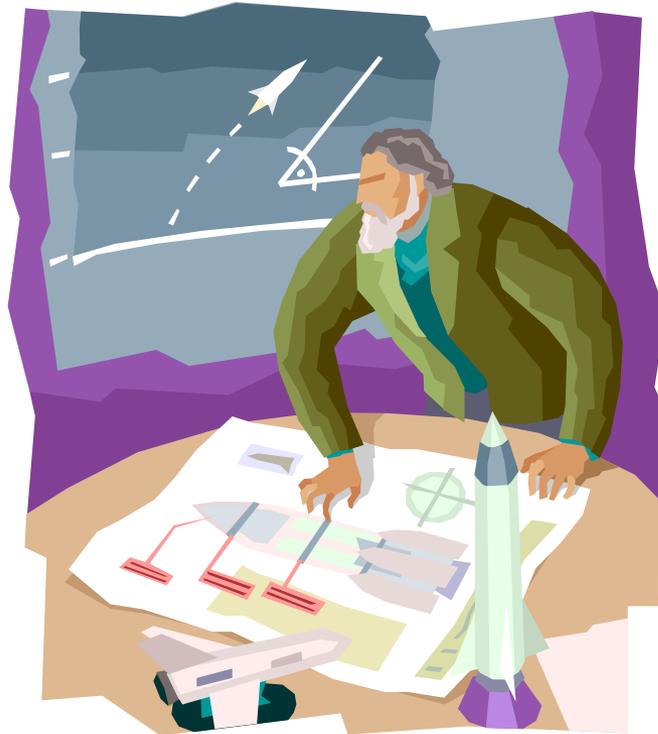
April 11, 2014



# R/W, Plans, Owners, Buyers, Appraisers and You



INDOT owns a significant amount of real estate with more being purchased every year.



# Definitions:

- **(j) “Right-of-way” means land taken by either:**
  - (1) easements; or
  - (2) fee simple title;
  - for the linear routes identified in subsection (k).
- **(k) “Route survey” refers to surveys executed for the purpose of acquiring an interest in the tracts of land required for the following:**
  - (1) Highways.
  - (2) Railroads.
  - (3) Waterways.
  - (4) Pipelines.
  - (5) Electric lines.
  - (6) Any other linear transportation or utility route.



# Definitions: (cont.)

- **The term does not include surveys executed for acquisition parcels that are of even width and immediately adjacent to an existing title, easement, or right-of-way line and do not require a property survey in order to prepare an accurate legal description for the parcel. Route surveys are not considered either original surveys or Retracement surveys. These would be referred to as parallel line type descriptions.-----From Title 865—**
- **Most INDOT projects will require a Location Control Route Survey if property is being acquired.**



## ■ Purposes for acquiring real property

- Sec. 2. The department may acquire real property for any purpose necessary to carry out this article, including the following:

(1) To locate, relocate, construct, reconstruct, repair, or maintain a state highway, including areas for:

(A) the placement of a utility facility within the right-of-way of the state highway system; or

(B) the relocation of a utility facility within the right-of-way of the state highway system due to interference with a highway improvement project.

(2) To widen or straighten a highway.

(3) To clear and remove obstructions to vision at crossings and curves.

(4) To construct weigh stations and rest areas.

(5) To provide scenic easements and other areas necessary to cooperate with the federal government or carry out a federal law.

(6) To facilitate long-range transportation planning.

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  - To construct weigh stations and rest areas.
  - To provide scenic easements and other areas necessary to cooperate with the federal government or carry out a federal law.
  - To facilitate long-range transportation planning.



# IC 8-23-7-31

- **Acquisition of property, rights, and easements; legal description; taxation**
  - Sec. 31. (a) Whenever the department acquires real property, rights, or easements for the construction, repair, and maintenance of a state highway, a legal description of all rights-of-way and easements, including the area of the land acquired, shall be filed by the department in the office of the recorder in the county in which the real property is located. The description shall be recorded in the deed records of the county. No fee may be charged for filing and recording the description. The department shall also file the description with the county auditor.
  - (b) Real property and interests in real property acquired for permanent highway purposes are exempt from taxation from the date of acquisition, provided that all taxes, interest, and penalties recorded on the property tax duplicates have been paid. Where real property or interests in real property are acquired after the assessment date of any year but before December 31, the taxes on the property in the ensuing year are not a lien on the property and shall be removed from the tax duplicates by the county auditor.



- Route survey preliminary research
- (b) Client specifications (**INDOT**) may set forth technical minimums for route surveys more stringent than those stated in this section.



## ■ **Route survey fieldwork**

- Sec. 21. When conducting a route survey, a land surveyor shall do the following:
  - (1) Establish the location of the control survey points upon which all subsequent work will be based so that they can be
  - retraced and are recoverable by other surveyors without difficulty during and after construction.

## ■ **Measurements for route surveys**

- Sec. 22. (a) When conducting a route survey, the land surveyor shall be responsible to use the minimum standards of measurement for urban surveys provided for in section 7 of this rule, except that relative positional accuracy may not exceed five tenths (0.5) feet for a route survey.
- (b) Measurements generally shall be shown on the route survey plat with a number of significant figures representative of the precision of the work.

- **Measurements for route surveys cont.**
  - (c) The measurements specifications outlined in this section will apply to all of the following items shown on a route survey:
    - (1) The control survey points.
    - (2) Survey ties to either of the following:
      - (A) The nearest United States Public Land Survey subdivision corners that are reasonably accessible on both sides of the controlling survey line. (and along the survey centerline all USPLSC)
      - (B) Monuments with established state plane coordinates.
    - (3) All monuments and reference monuments, and any ties thereto, that are set relative to the controlling survey line.

# 865 IAC 1-12-22 cont.

- **(d) If the route survey references or is based on state plane coordinates or utilizes the Global Positioning System (GPS), the written surveyor's report shall identify the following:**
  - (1) The datum and projection.
  - (2) The year of applicable datum adjustment.
  - (3) The originating or controlling monuments.
  - (4) The GPS base stations or positioning software used, for example, the Online Positioning User Service (OPUS).
  - (5) The source and format of the corrections if real time kinematic GPS was used.
  - (6) The Geoid model used, if applicable.
  - (7) The scale, elevation, and combination factors used in the coordinate calculations.
  - (8) Information on any translation to or from a local system.
  - (9) The collection processes and methodology of final positioning.
  - (10) Whether the distances shown are grid or ground.



## ■ Route survey monumentation

- Sec. 24. (a) When conducting a route survey, a registered land surveyor shall be responsible to set monuments in accordance with the following:
  - (1) Control survey points that are to be shown on the route survey plat shall be monumented at:
    - (A) each angle point; and
    - (B) intervals that typically do not exceed one quarter ( $\frac{1}{4}$ ) mile.
  - (2) Section 18(c) through 18(f) of this rule.
  - (3) Any comparable or better monuments required by more stringent local ordinances shall be set.
  - (4) Monuments shall be referenced in such a manner that will facilitate recovery of the monuments. A minimum of three (3) permanent points referencing each controlling survey line monument shall be established, preferably at locations outside the planned construction area.



## ■ Route survey plats

- Sec. 25. When conducting a route survey, a land surveyor shall prepare a route survey plat as follows:
  - (8) Nothing in this section shall prevent a complete route survey plat from being the composite of the work of one (1) or more surveyors preparing separate plats of their work as long as the following requirements are met:
    - (A) All of the information required under this section and in sections 21, 22, 24, and 25 of this rule is reflected in the composite of the separate plats, and the data on each of the separate plats is tied to the initial controlling survey line. \*\*
    - (B) The separate plats are all recorded.
    - (C) Any plats related to the route survey that are subsequently recorded are cross-referenced to any previously recorded plats related to the same route survey.
    - (D) The work is conducted in accordance with the requirements of section 3 of this rule.

# Note

- THIS IS NOT AN EXTENSIVE STUDY OF RULE 12, BUT I DO WANT TO BRING TO YOUR ATTENTION THAT THERE MAY BE CHANGES TO THESE RULES.  
(Check for Changes)



# IC 8-23-7-32

- Preservation of abstracts of title, title insurance policies, and other title papers  
**(Title & Encumbrance Reports)**
- Sec. 32. All abstracts of title, policies of title insurance, and other title papers shall be kept and preserved permanently by the department.



# IC 8-23-7-4

- **Description of property to be acquired; preparation and filing Sec. 4. if:**
  - (1) the department determines the location of a state highway; and
  - (2) the location of the highway requires the department to acquire real property, easements in real property, or rights in real property; the department may prepare a metes and bounds or other description of the property or rights to be acquired. The description shall be filed in the office of the recorder in the county in which the real property is located.



# IC 8-23-7-10

## ■ Publication of information concerning purchased property

- Sec. 10. Whenever the department purchases real property by agreement with the owner of the real property as to purchase price, the department shall, in accordance with IC 5-3-1-2(i), publish a list of the following:
  - (1) The owners from whom the property was purchased.
  - (2) The number of acres in each property purchased.
  - (3) The purchase price of each property. *As added by P.L. 18-1990, SEC.216. Amended by P.L.64-1995, SEC.9.*



# Abstracting & Ownership

- Each ownership of land within the limits of the project is abstracted with a 20 year search of the title. This includes properties not identified as a take area but which property lies within the project limits. Each Ownership is identified by adding a parcel number to the code number. Also abstracting may be needed to verify INDOT ownership of the existing R/W shown on the plans. Abstracting coverage should be from the start of construction to the end of construction.



# INDOT Abstracting Requirements

- Title & encumbrance report – fee taking
- 20 year search – means back to a date of transfer of the subject property that was by a warranty deed, at least 20 years.
- Includes – mortgage search
- Miscellaneous record search
- Judgment search
- Tax – information statement
- Easement(s)
- Reference deeds – copy of subdivision plats – copy of easements



# Title & Encumbrance Report Requirements

## Title and Encumbrance Reports Requirements

1. A search of the county records of the subject property at least 20 years or to the time when the property was transferred by a warranty deed. Any transfer by quit claim deed is unacceptable to fulfill this requirement.
2. A complete chain of title back to the date the subject property was transferred by a warranty deed at least 20 years old.
3. A copy of all recorded documents found during the 20 year search must be included in the Title and Encumbrance Report.
4. Copies of any reference deeds called for the documents found during the 20 year search must also be included in the Title and Encumbrance Report.
5. A search of the mortgage record and copy of any mortgage or release of mortgage must also be included in the Title and Encumbrance Report.
6. A search of the judgment record must also be completed and any judgments found must also be included in the Title and Encumbrance Report.
7. A search of the miscellaneous record must also be completed and any easements or other encumbrances found that effect the subject property must also be included in the Title and Encumbrance Report.
8. Copies of any recorded land surveys of the subject property.
9. If the subject property is a lot in a recorded subdivision a copy of the recorded subdivision plat must also be included in the Title and Encumbrance Report.
10. Complete Property Tax information must also be included in the Title and Encumbrance Report.
11. A complete listing of all county tax ID numbers must also be included.
12. Sample of complete Title and Encumbrance Report attached for further explanation.



# Title & Encumbrance Report

- Temporary R/W taking – only
- Last deed of record owner
- Tax – information statement



# Tax ID

- MANY/MOST OF THE COUNTIES IN INDIANA REQUIRE THAT PRIVATE PROPERTY BE IDENTIFIED BY TAX ID NUMBER. WHEN AN OWNER ACQUIRED THEIR PROPERTY BY MORE THAN ONE TAX ID NUMBER AND THE NEW RIGHT OF WAY TAKING IS FROM BOTH TAX ID NUMBERS, THE AREA TAKEN FROM EACH TAX ID NUMBER MUST BE DETERMINED. TO DETERMINE THE AREA TAKEN FROM EACH TAX ID NUMBER A SEPARATE LEGAL DESCRIPTION MUST BE PREPARED FOR THE NEW R/W TAKING FROM THE TAX ID NUMBER PARCEL. INDOT IS NO LONGER EXEMPT FROM THE SALES DISCLOSURE FORM REQUIRED FOR RECORDING. THE AREA OF THE NEW R/W TAKING OUT OF EACH TAX ID MUST BE DESCRIBED SEPARATELY.



# Abstracting Report

- The abstracting report is prepared parcel by parcel, any additional title information must be obtained from the county records. Additional title information may include additional copies of subdivision plat(s) or private surveys or reference deeds necessary to determine ownership of property or to clarify property line location. When the abstracting report is being prepared a list of special interests that effect each parcel and which interests must be cleared for future reference, when the parcel is prepared for appraising should be included.



# Abstract Investigation

- Each Title & Encumbrance Report is plotted and an analysis of the owners deed description is performed. Ownership lines are established. In addition, any special interest noted in the report is plotted and a note placed on the plans. Property owner names are checked and corrected if necessary. Additional abstracting may be needed to resolve any property line location conflicts or uncertainty of the property line location.



# Unknown Owner?

- ABSTRACTING IS A MUST DOCUMENT, EVEN IF CURRENT OWNERSHIP IS AS UNKNOWN. TITLE AND ENCUMBRANCE REPORT MUST SHOW LAST OWNER OF RECORD, EVEN IF NO TAX ID NUMBER EXISTS. IN MOST CASES RECORD OWNER(S) CAN BE FOUND FOR AREAS DESIGNATED AS UNKNOWN OWNER.



# Existing Right of Way

- All existing R/W information is gathered and separated by parcel ownership, not by project or from station to station. All areas where no evidence of title to existing R/W is found are noted. Additional abstracting research of title will be needed. If no record document is found to establish the existing road boundary, the edge of the pavement/traveled way is used as the road boundary. When using edge of pavement/traveled way as the road boundary a decision must be made as to the width of the pavement, 24 foot, 22 foot, 18 foot etc. no radii or fillet areas are considered only tangents of pavement are run to intersection.



# Plotting Existing R/W Line

- NOTE: Any existing R/W line drawn on the R/W Plans must be documented, such as recorded in the county records. There must be a conveyance to INDOT or other public agency. Power poles, utility lines, fences are never used as existing R/W lines, but are evidence of apparent right of way. R/W grants not timely recorded must be evaluated, and have a determination made as to whether a grant of easement was made to the State before the grant is used as evidence of existing R/W line.



HANCOCK COUNTY.

Comm Rec. 10 P. 491

June 9

Fifth

Day,

June

Term, 1882

In The Matter of the Petition No 21  
of Wm A Deum Et al for Petition for Location of Road  
a Public Road

Comes now the Petitioners in  
the above entitled Cause and presents their Petition which  
reads in the words and figures following To wit:

State of Indiana Commissioners Court  
Hancock County June Term 1882

In The Matter of the Petition No- 21  
of William A Deum Et al  
for Location of Public Road

To the Honourable

The Board of Commissioners of

Hancock County Indiana

Obe the undersigned your petitioners would  
respectfully represent and show to your Honourable Board  
that they are resident Citizens of Hancock County Indiana  
that they are not a body Corporate and that at least twelve  
of said petitioners are owners in fee simple of  
real Estate in said County six of whom reside in the  
immediate vicinity of a proposed Road which they ask  
to be located on the following line and route to wit:

Commencing at the South East Corner of section  
thirteen (13) in Township sixteen (16) North in Range five  
(5) East from thence west on the section line dividing sections  
thirteen (13) and twenty four (24) containing west on the  
section line dividing sections fourteen (14) and twenty  
three (23) all in said township and Range and  
terminating at the South west Corner of section fourteen

(14) in said township and Range said termination  
being at the County line dividing Hancock and  
Madison Counties, The following are the owners of the  
land on the North of said described route To wit:

George Hoag & wife Mary Bates W. H. Eastes Joseph Wright  
C. C. Collins E. M. Ferguson M. D. Collins William  
Collins & James H. Collins.

The following are the names of the owners of the land  
on the South of said route To wit:  
A. Deum and M. Deum and M. Deum and M. Deum  
S. Deum and Catharine Craig the following

# Example of Existing R/W Record County Commissioner Road Records



# R/W Terms

- R/W Apparent: clearly seen or understood
- R/W Easement: a limited right to make use of a property owned by another
- R/W Dedication: an act of setting something aside for a purpose
- R/W Grant: lawful transfer, property or rights to somebody in a legal transaction
- R/W Fee Simple: absolute ownership by INDOT



# Existing R/W Report

- The existing R/W report is prepared on a parcel by parcel basis. The report states either the State holds fee simple title or a valid highway easement or that re-acquiring the present existing right of way (PER) is required. (PER) is always the area under pavement in the case of an invalid grant.
- All existing R/W must be verified within the limits of the project. This includes areas not identified as new R/W takings on the Design R/W Plans.
- INDOT holds clear title only in those cases where we have a warranty deed recorded, a R/W grant recorded timely, or a dedication of R/W. Clear title may not mean fee simple title.
- If the area of a valid R/W grant is being re-acquired the area is considered PER. The area under pavement should be delineated from the remaining R/W.



# Special Note on Existing R/W

- INDOT has several old projects where the R/W grants were signed but the grant was not recorded until several years later. The out of sequence recording creates an uncertainty as to what title INDOT holds to the area of the grant. Parcel documentation regarding existing right of way must contain how INDOT acquired title (by what document) and why the document is evidence of existing R/W.



# R/W Plans Today – Title Sheet

PROJECT	DESIGNATION
010715	010715
CONTRACT	
R. 3122B	

## INDIANA DEPARTMENT OF TRANSPORTATION

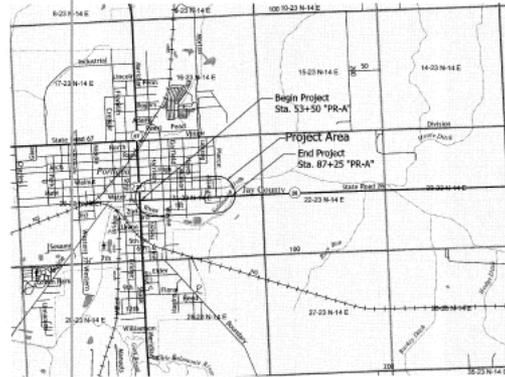
R/W CODE: 5359  
DES. NO.: 010715



## RIGHT OF WAY PLANS

ROUTE: SR 26 FROM: RP 140+58 TO: RP 141+22  
PROJECT NO. 010715 P.E.  
010715 R/W  
010715 CONST.

Project Description  
Pavement Replacement Project on SR 26  
from US 27 to 0.78 mile East of US 27  
in Section 21, T-23-N, R-14-E  
Wayne Township, Jay County, Indiana



TRAFFIC DATA	
A.A.S.T. (2011)	4005 V.P.D.
A.A.S.T. (2000)	5875 V.P.D.
DIVY (2005)	400 V.P.D.
DIRECTIONAL DISTRIBUTION	50 %
TRUCKS	3 % A.A.S.T. 17 % DIVY
DESIGN DATA	
DESIGN SPEED	50/45 M.P.H.
PROJECT DESIGN CRITERIA	30 (NON-FREQUENT)
FUNCTIONAL CLASSIFICATION	MAJOR COLLECTOR
RURAL/URBAN	URBAN (DUAL-LEFT)
TERMIN	LEVEL
ACCESS CONTRA	None

\* Speed Limit is 30 mph west of Jack St.  
and 40 mph east of Jack St.



LATITUDE: N 40°25'57" LONGITUDE: W 84°58'14"

Gross Length: 0.64 mi.  
Net Length: 0.64 mi.  
Maximum Grade: 1.05 %



*Ronald L. Raney 1-25-13*  
Ronald L. Raney L.S. 80870012, Dated

GREENFIELD DISTRICT  
REAL ESTATE MANAGER  
GREENFIELD, IN 46140

INDIANA DEPARTMENT OF TRANSPORTATION  
STANDARD SPECIFICATIONS DATED 2012  
TO BE USED WITH THESE PLANS

DESIGNATION	010715
SURVEY BOOK	17463
SHEETS	1 of 25
CONTRACT	R. 3122B
PROJECT	010715





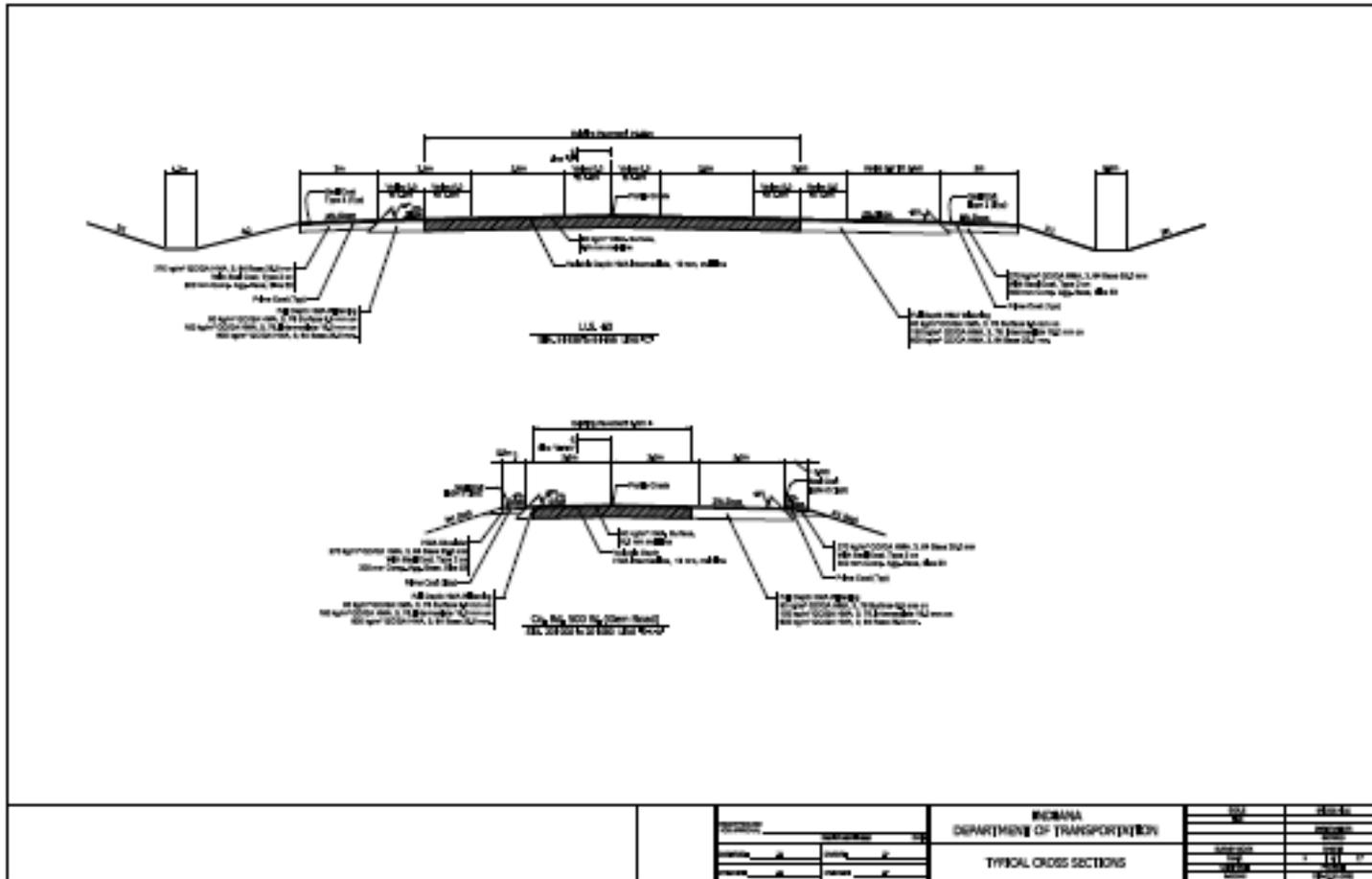








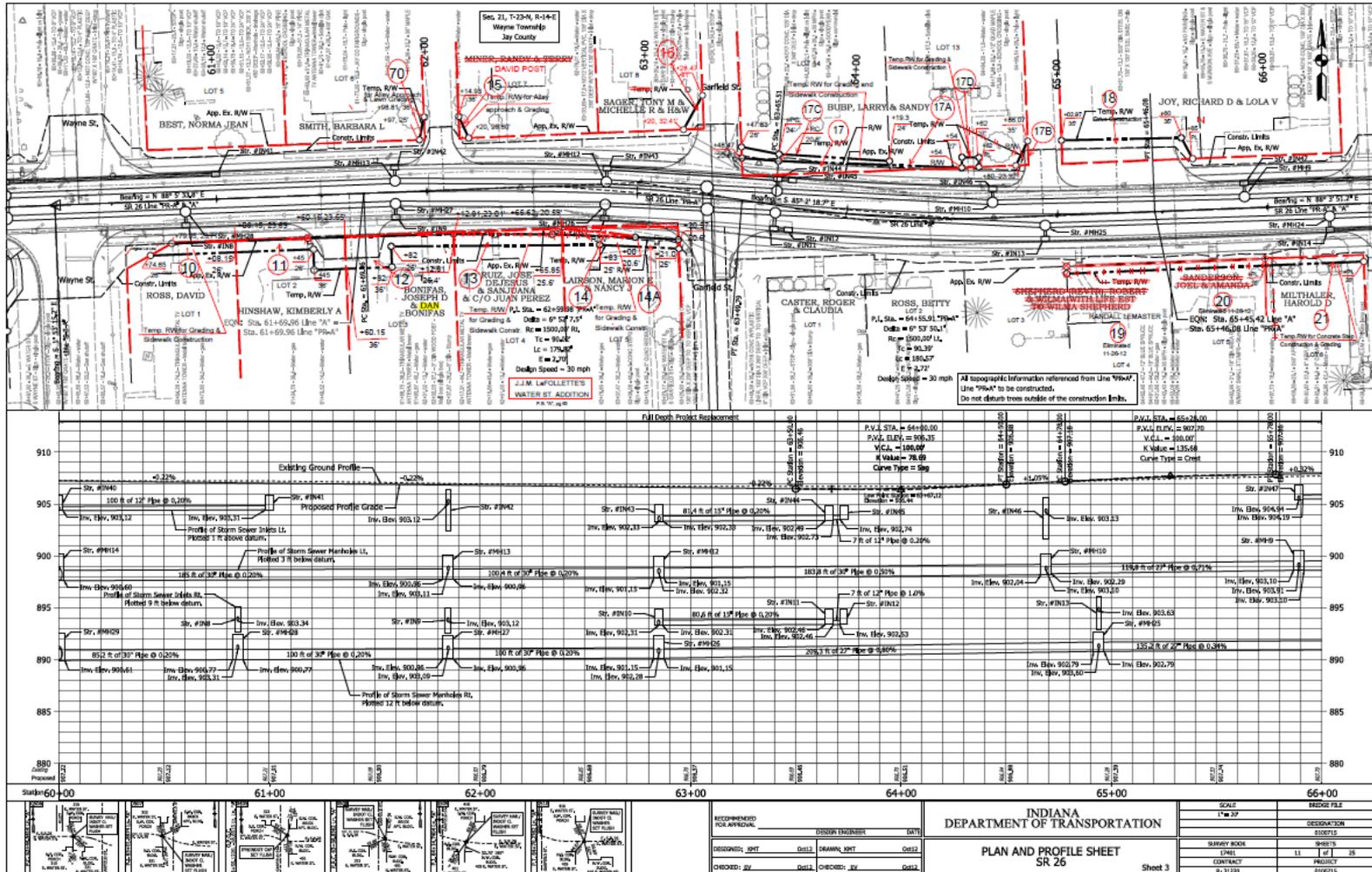
# Typical Cross Sections



PROJECT: _____ DRAWING: _____ SHEET: _____		INDIANA DEPARTMENT OF TRANSPORTATION TYPICAL CROSS SECTIONS	DATE: _____ SCALE: _____ SHEET NO.: _____ TOTAL SHEETS: _____
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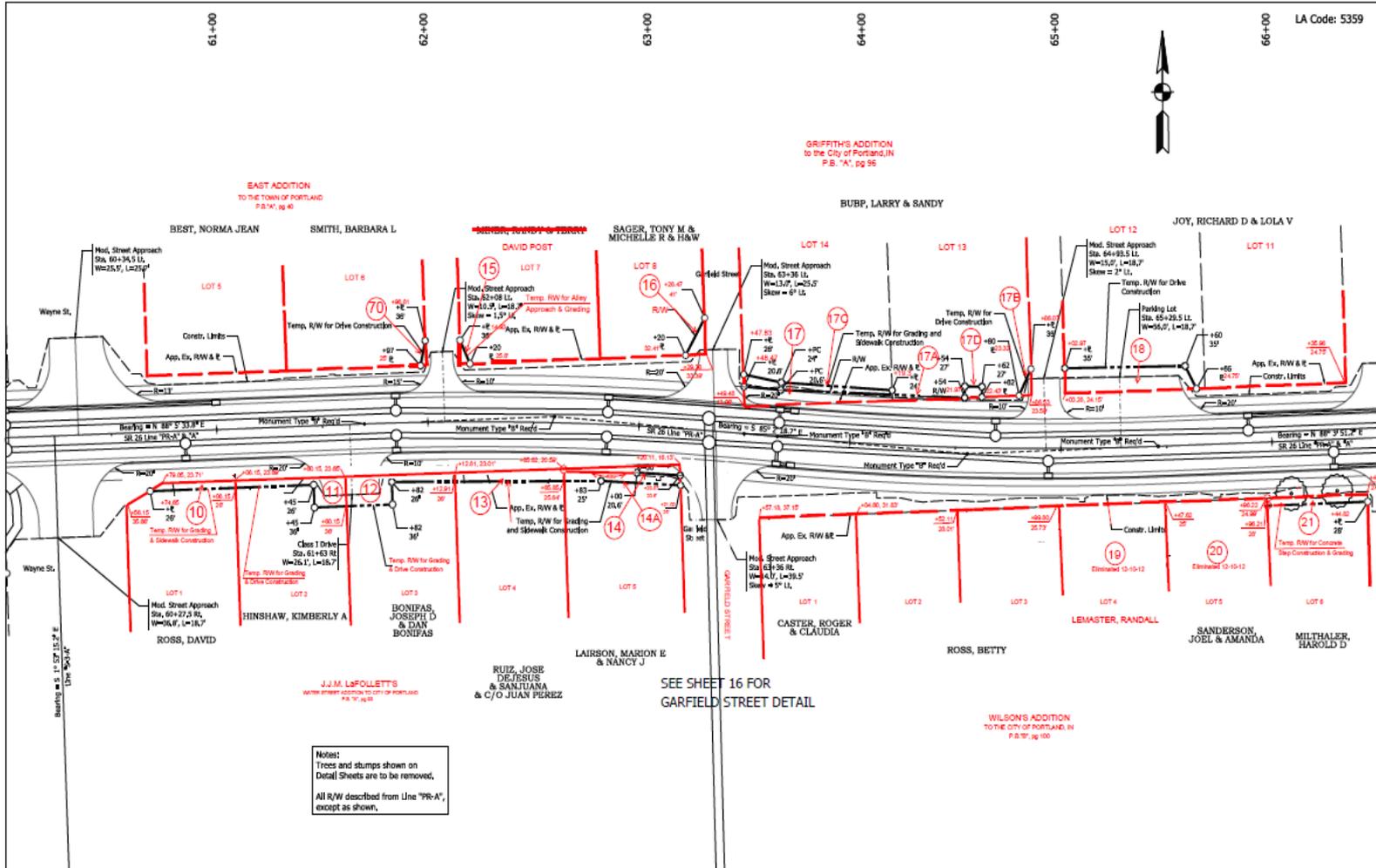
# R/W Plan and Profile

LA Code: 5359





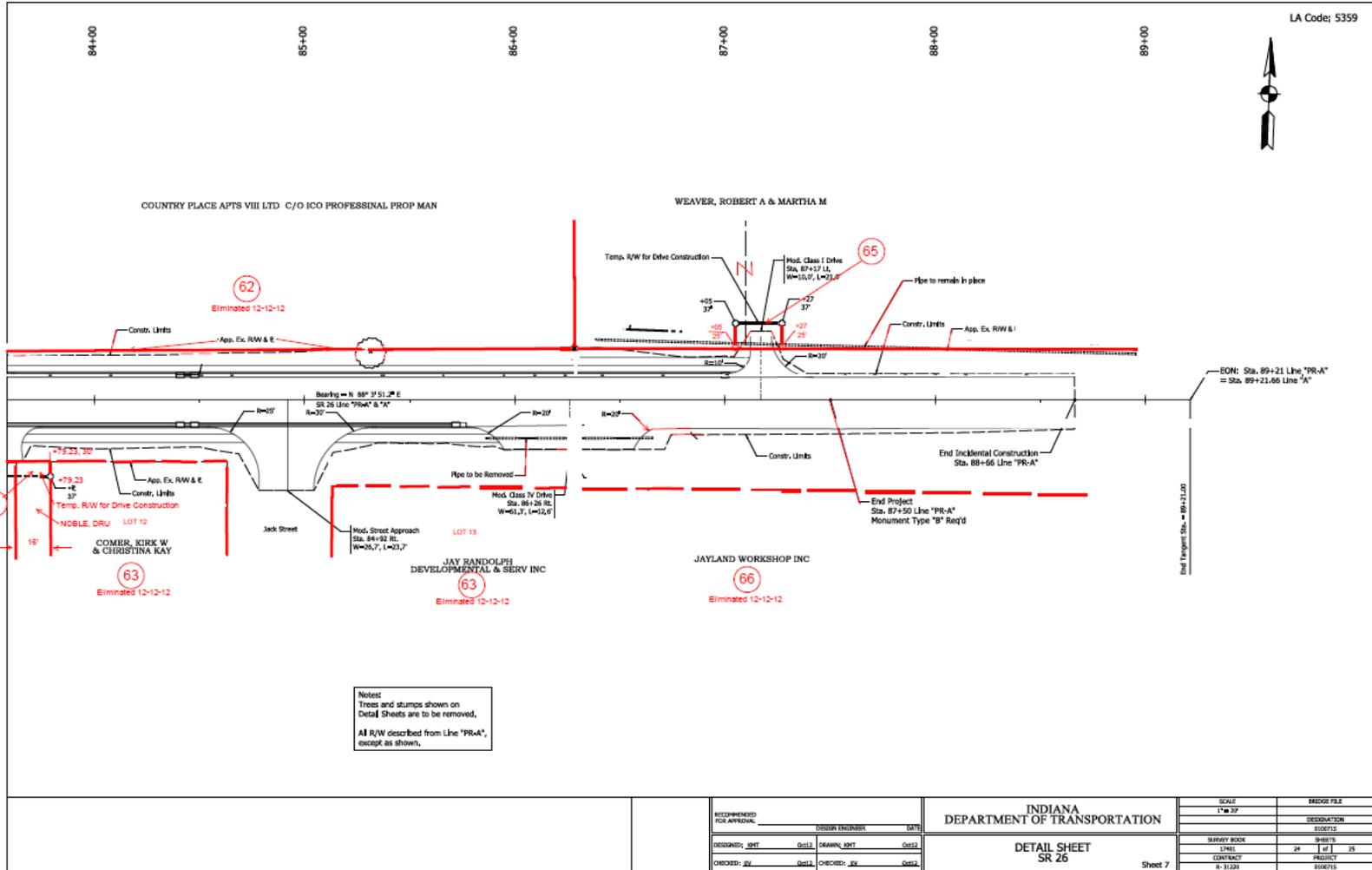
# Construction Details



RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE	INDIANA DEPARTMENT OF TRANSPORTATION	
DESIGNED BY	DRAWN BY	CHECKED BY	DETAIL SHEET SR 26	
CHECKED BY	DATE	DATE	Sheet 3	BRIDGE FILE
			SCALE 1"=30'	DESIGNATION
			SURVEY BOOK	DATE
			DATE	PROJECT
			CONTRACT	PROJECT



# Construction Details

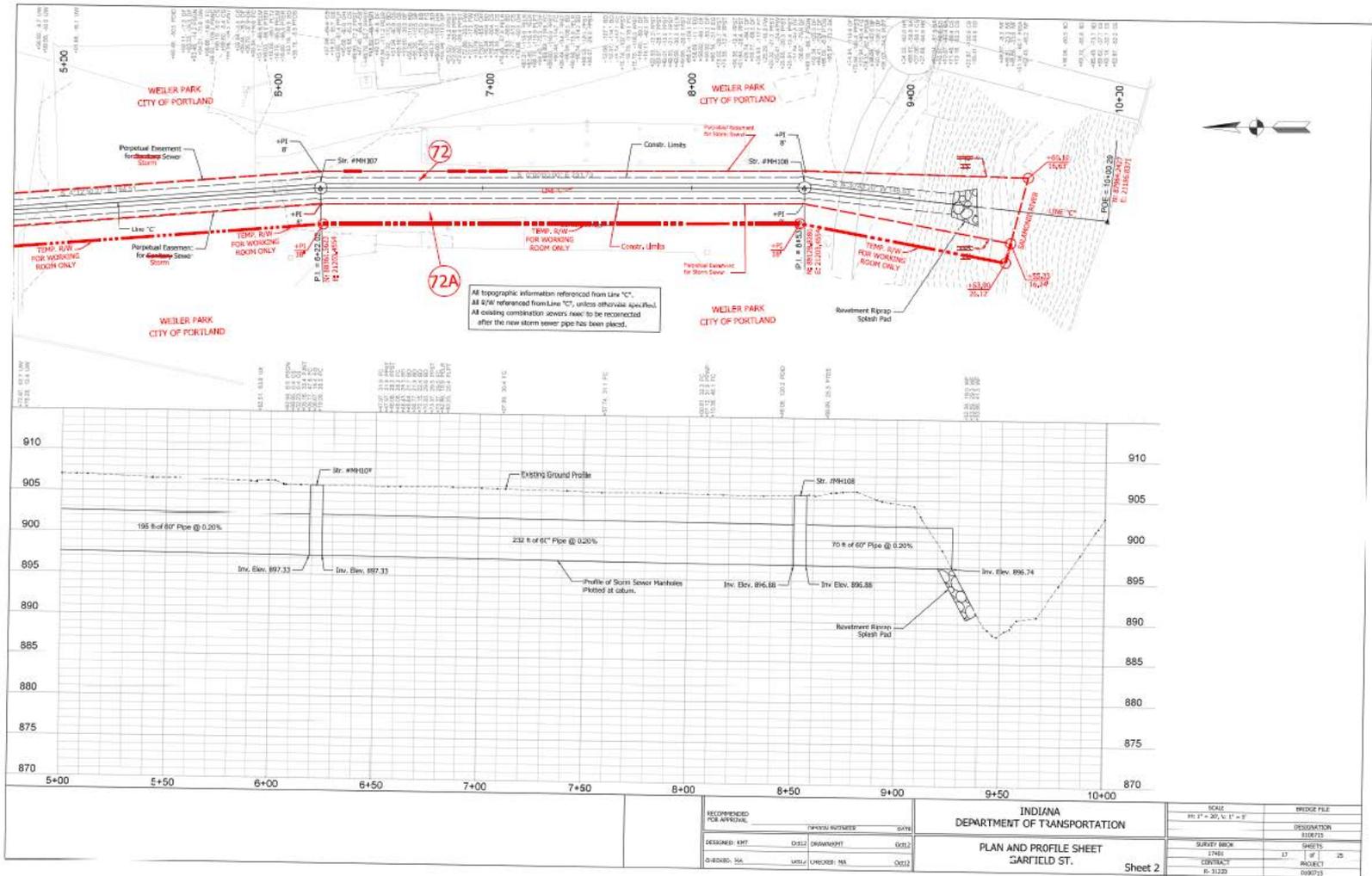


Notes:  
Trees and stumps shown on  
Detail Sheets are to be removed.  
All R/W described from Line "PR-A",  
except as shown.

RECOMMENDED FOR APPROVAL:	DESIGN ENGINEER:	DATE:	SCALE:	PROJECT FILE:
DESIGNED BY:	DRAWN BY:	CHECKED BY:	1" = 30'	SR 26
CHECKED BY:	DATE:	DATE:	INDIANA DEPARTMENT OF TRANSPORTATION	SECTION:
			DETAIL SHEET SR 26	NO. OF SHEETS:
			Sheet 7	15
				PROJECT:
				DATE:



# "S" Line Plan and Profile Sheet



# LCRS and Design R/W Report

The Location Control Route Survey Plat (LCRSP) and Design R/W Plans report is prepared. The survey data reported on the LCRSP is checked against the design R/W plan alignment. If errors are found they must be reported to INDOT. Errors are corrected by surveyor's affidavit or re-recording of the LCRSP. The location of existing property corners and USPLSC located in the design survey are noted and analyzed to determine if there is a need for additional field survey data, such as additional section corners, subdivision corners or lot corners. The Design R/W Plans are now reviewed with the property lines and existing road boundaries set by the R/W Engineer. RULE 12 DOES APPLY.



# Surveyor's Affidavit



SURVEYOR'S AFFIDAVIT  
for Clarification of a Previously Recorded Document

201300393 DEEDA \$14.00  
02/13/2013 10:34:27R 2 PGS  
Beverly D Myers  
Jay County Recorder IN  
Recorded as Presented

Sheet 1 of 2

Re: Location of the Northwest Corner of the Southwest Quarter of Section 21, Township 23N, Range 14E,  
INDOT Location Control Route Survey Plat, Instr #0902740 Recorded 10-21-2009,  
INDOT Project #0100715, State Road 26 (Water Street), Jay County, Indiana, L.A. Code 5359

A Location Control Route Survey Plat (LCRSP) for SR 26 was recorded on 10-21-2009 as Instrument  
#0902740 in the Jay County Indiana Recorder's Office. Said LCRSP was prepared for the Indiana Department of  
Transportation by Henry Aldridge, Indiana Land Surveyor #LS2930018, INDOT – Greenfield District, for INDOT  
Project 0100715.

The location of the Northwest Corner of the Southwest Quarter of Section 21, Township 23N, Range  
14E, as recorded in said LCRSP needs clarification for legal descriptions prepared for the transfer of real property  
needed for the INDOT SR 26 road project and identified as Project #0100715, L.A. Code 5359. Said LCRSP  
shows said Corner on the centerline of State Road 26 as point #502 P.O.T. 50+00 Line "A". However, subsequent  
evidence was discovered during the Right of Way Engineering process which places the location of said Corner  
20 feet, more or less, South of the position indicated on said LCRSP. Said evidence discovered is as follows:

#### Subdivision Plats

Wilson's Addition to the City of Portland, Plat Book B Page 100 places the North line of the subdivision 13' South  
of the South curb line of State Road 26 (Water Street). The North line of said subdivision is also stated as the  
North line of said Quarter Section.

J.J.M. LaFollette's Water Street Addition to the City of Portland, Plat Book A Page 63 (which is located to the  
West of Wilson's Addition) states that the North line of the subdivision is also the North line of said Quarter  
Section.

#### Recorded Local Surveys

Jay School Corporation Property Survey Instr #0301244 Recorded 3-24-2003 prepared by Richard E. Ward,  
Indiana Land Surveyor #30432 which states in the legal description that the South Boundary of State Road 26  
(Water Street) is also the North line of said Quarter Section. (The Jay School Corporation Property is located to  
the West of J.J.M. LaFollette's Addition)

Said subdivision plats and said property survey agree with property owner occupation and the physical  
location of said SR 26 (Water Street).

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.

  
Linda A. Morris



# Final R/W Plan Preparation

- **Differences in Project Design R/W Plans and Final R/W Plans?**
  - Project Design R/W Plans show R/W design requires for the construction of the project.
  - Project Design R/W Plans are prepared according to Chapter 85 – Part 9 of INDOT Design Manual, Stage 2 plans.
  - Final R/W Plans show what R/W was actually acquired/purchased for the project. Final R/W Plans are prepared for INDOT appraisers, buyers, property owners, and other surveyors. R/W Plans are public record.



# Final R/W Plan Revisions

- Revision requests to the design R/W plans are made to the design consultant through the INDOT project manager. This includes additional new R/W design on properties with construction limits outside the existing or new R/W, also any temporary rights of way that were omitted or miss-labeled, or areas where the existing R/W could not be verified. Revisions continue through the appraising and buying phases. Small R/W takings should be eliminated if possible.



# Preparing R/W Parcels

- R/W parcels can now be prepared. Descriptions of all fee takings, temporary rights of way and easements are prepared along with R/W parcel plats according to the 1998 R/W Engineering Manual. Transfer documents and INDOT forms are prepared according to the 1998 R/W Manual. In regard to total area and R/W existing R/W take areas, residues areas and all areas of fee and temporary R/W takings.
  - Note: Revised transfer forms are available.



# R/W Parcel Plat

## RIGHT OF WAY PARCEL PLAT EXHIBIT "B"

Code: 4857

Parcel 12  
Project: 1203016  
Road: U.S.R.35  
County: Howard  
Section: 3A  
Township: 24 N.  
Range: S.E.

Grantor: LADD Management Group, LLC  
Instrument # 0234002512, Dated 1-17-2001

Drawn By: J.Pill Sr. 3-16-11  
Ckd By: R.L. Ramey



Selected Area is the  
approximate bearing

This plat does not contain information obtained from the Recorder's Office  
and is to be used as a reference only. It is not to be used as a legal document.

Scale: 1" = 100'

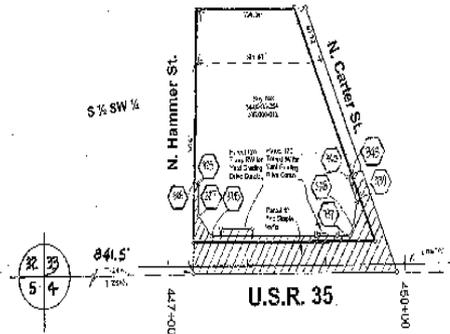


### Parcel Coordinate Clari

Point #	North	East	Station	Offset	CL
325	42970.9011	26380.8720	44+436.71	82.00' LT	A
326	32278.8782	78350.0261	347+982.88	82.00' LT	A
327	34814.8035	28381.0194	447+39.71	50.00' LT	A
328	32824.3738	74577.4014	447+42.00	30.00' LT	A
327	32822.7897	28658.3090	448+31.00	30.00' LT	A
336	32832.8071	28567.2532	448+35.00	42.00' LT	A
330	32838.6460	28261.2493	449+38.00	62.82' LT	A
340	32863.0065	28550.4032	449+28.27	67.82' LT	A
3-3	32864.1169	28667.9690	449+33.05	88.00' LT	A
310					

See Location Control Route Survey Plat

North and offset are in coordinate North and East coordinates and bearing and distance.



### SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the Location Control Route Survey Plat recorded as Instrument # 0234012056, in the Office of the Recorder of Howard County, Indiana, (incorporated and made a part hereof by reference) comprises a Right of Way associated in accordance with Indiana Administrative Code 69A IAC 1-12 ("Rule 12").

*Ronald L. Ramey*  
Ronald L. Ramey, A.S. 690270012, Dated



# Exhibit "A"

## EXHIBIT "A"

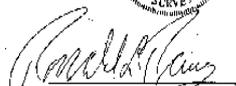
Project: 1203016  
Code: 4857  
Parcel: 12 Fee Simple  
Form: WD-1  
Tax ID# 34-05-33-354-005,000-012

Sheet 1 of 1

A part of the South Half of the Southwest Quarter of Section 33, Township 24 North, Range 5 East, Howard County, Indiana, and being all that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked as EXHIBIT "B", described as follows: Commencing at the southwest corner of said section; thence North 89 degrees 35 minutes 41 seconds East 841.50 feet along the south line of said section to the southwest corner of the grantor's land and the point of beginning of this description; thence North 0 degrees 15 minutes 49 seconds East 88.93 feet along the west line of the grantor's land to point #326 on said plat; thence North 89 degrees 44 minutes 10 seconds East 6.85 feet to point #325 on said plat; thence South 0 degrees 16 minutes 50 seconds East 32.00 feet to point #327 on said plat; thence South 39 degrees 25 minutes 37 seconds East 25.80 feet to point #328 on said plat; thence North 89 degrees 44 minutes 10 seconds East 176.00 feet to point #337 on said plat; thence North 21 degrees 32 minutes 15 seconds East 10.77 feet to point #338 on said plat; thence North 9 degrees 40 minutes 41 seconds East 23.17 feet to point #339 on said plat; thence North 23 degrees 29 minutes 35 seconds West 27.21 feet to point #340 on said plat; thence North 66 degrees 30 minutes 48 seconds East 18.08 feet to centerline of N. Carter Street (Kokomo, Greentown and Jerome Gravel Road); thence South 24 degrees 09 minutes 11 seconds East 110.72 feet along the centerline of said N. Carter Street (Kokomo, Greentown and Jerome Gravel Road) to the south line of said section; thence South 89 degrees 35 minutes 41 seconds West 257.66 feet along said south line to the point of beginning and containing 0.267 acres, more or less, inclusive of the presently existing right of way which contains 0.195 acres, more or less.

This description was prepared for the Indiana Department of Transportation by Ronald L. Raney, Indiana Registered Land Surveyor, License Number LS 80870012 on the 18<sup>th</sup> day of March, 2011



  
Ronald L. Raney



# Area Computation Sheet

## AREA COMPUTATIONS

Code: 5019  
 Des No. 0902297  
 Parcel 1  
 Date: 07/10/12

Sheet 1 of 1  
 By: Ronald Rane Date: 4-11-2012

TITLE AREAS			EXCEPTIONS		
DR 201	pg 602	200,000 Ac	DR 305	pg 005	20,000 Ac
SUBTOTAL SI AREAS =		200,000 Ac	TOTAL EXCEPTIONS =		20,000 Ac
LESS TOTAL EXCEPTIONS =		20,000 Ac			
TOTAL AREA =		180,000 Ac			

Verified Existing R/W Area		PER Existing R/W Area	
Road	Area	Road	Area
CR 2004	0.526 Ac	SR 28	0.016 AC
CR 2502	0.439 Ac		
Total Area	0.965 Ac	Total Area =	0.016 AC

PARCEL	FREE SIMPLE AREAS
1	2,500 Ac
1A	0.539 Ac
Total Free Simple = 3,039 Ac	

PARCEL	TEMP. R/W AREAS
1B	0.459 Ac

TOTAL AREA =	180,000 Ac
RAW EXISTING =	0.965 Ac
NET TOTAL AREA =	179,035 Ac
TOTAL F.S. AREA =	3,539 Ac
TOTAL RESIDUE AREA =	175,496 Ac
RESIDUE "A" =	175,496 Ac





# Area Computation Sheet

- CAREFUL ATTENTION MUST BE GIVEN IN CALCULATING THE RESIDUE AREA.
- NOTE: THE AREAS OF PRESENT EXISTING R/W (PER) IS INCLUDED IN THE AREA ACQUIRED.
- NOTE: THE AREA OF "PER" STATED IN THE LEGAL DESCRIPTION vs. THE "PER" AREA STATED ON THE AREA COMPUTATION SHEET AND OTHER VERIFIED EXISTING R/W AREAS.
- AREAS ARE CALCULATED FOR THE PURPOSE OF ESTABLISHING JUST COMPENSATION TO THE OWNER.



- **Data land acq. code number & parcel number**
  - OWNERS NAME – LAST NAME FIRST (**always**)
  - TOTAL AREA
  - R/W EXISTING AREA VERIFIED
  - LEFT/RIGHT
  - CENTERLINE
  - STATION TO STATION
  - AREA OF FEE TAKING (INCLUDING PER)
  - RESIDUE AREA
  - **RESIDUE AREA + FEE AREA + R/W EXISTING AREA = TOTAL AREA**

# Tax ID Numbers

- ALL counties are requiring that any new R/W takings be confined to the appropriate tax ID from which it is taken.
- Legal Descriptions are prepared for each fee taking from each tax ID number.
- An area break down by tax ID number is prepared on the area computation sheet.
- Parcel 1 – Tax ID – Area
- Parcel 1A – Tax ID – Area



# Requirements Concerning PER

CHAPTER III

LEGAL DESCRIPTIONS

OCTOBER 2007

R/W ENGINEERING MANUAL REVISION – CHAPTER III – PAGE III-14

F. MISCELLANEOUS REQUIREMENTS FOR WRITING LEGAL DESCRIPTIONS

## 1. Takings

### a. Presently Existing Right-of-Way:

All permanent (fee simple) takings that abut presently existing right of way which is not held in fee simple by the public, shall be consider for re-acquisition of the presently existing right of way with the new fee taking. The decision to include presently existing right of way with the fee taking legal description is made on a parcel by parcel basis. This decision shall be based on the quality of title the State holds to the presently existing right of way. The visible evidence of the presently existing right of way, such as right of way markers, drainage facilities, fences, old utility poles or other objects on the ground do not support the claim of the State's title to the existing right of way. In cases where the State claims title to the existing right of way by an recorded right of way grant, the grant must be recorded timely (within 1 year of the signature date on the grant) and in the county where the existing right of way is located and the description of the existing right of way on the grant must be plotted on highway plans on file in INDOT office of records. In cases where there are no recorded documents of any kind, the re-acquisition of the presently existing right of way must be included in the legal description of the new fee taking.

Inclusion of the presently existing right of way in the legal description shall not apply to:

- Platted territories where the numbered lots reach only to the side lines of the street. This would apply mainly to territories that are recorded on plats of subdivision's of land accepted by the county under the platting laws of the State of Indiana and where there is an acceptance of the road dedication by the county.

Inclusion of the presently existing right of way shall apply to the following:

- Un-platted territories when title information from the owner's deed conclusively demonstrates that the abutting owner's description includes no part of the presently existing right of way; The assumption will be made by INDOT the abutting owner owns to the centerline of the existing traveled way or to the title lines established by the legal descriptions in the adjoining owners deeds. This would include un-recorded subdivisions that were recorded but not under the platting laws of the State of Indiana.



# New Requirements Concerning PER

CHAPTER III

LEGAL DESCRIPTIONS

OCTOBER 2007

- Un-platted territories when title information from the owner's deed conclusively demonstrates that the abutting owner's description includes all or a part of the presently existing right of way. The area of that part of the presently existing right of way included in the legal description will be determined by the title lines of the owners abutting the presently existing right of way.
- Temporary takings. No temporary right of way can be acquired where no boundary of the roadway can be established by conveyance of right of way to the state or county, therefore re-acquisition of present existing right of way is necessary, in a temporary only taking shown on the design right of way plans. All the requirements of a fee acquisition must be complied with.

The legal description which involves presently existing right of way shall identify:

- Gross area to be acquired
- Computed area of the presently existing right of way
- The net area, which is used to establish fair market value for the acquisition, is the difference between the gross area to be acquired and the area of the presently existing right of way. The area statement at the end of the legal description will read:
- ".....containing\_\_\_\_\_hectares (acres), more or less, inclusive of the presently existing right of way , which contains \_\_\_\_\_hectares (acres), more or less.

Presently Existing Right of Way (PER) shall be defined as follows:

- The area of the roadway that is under pavement (the traveled way). INDOT maintains roadway pavements as traveled lanes of 10 feet, or 11 feet or 12 feet, no area of the shoulder or turning lanes, passing blisters or radii fillet areas are included in the calculation of the present existing right of way area.
- The practice of including PER area outside of pavement (the traveled way) in the area statement in the legal description, became obsolete when the INDOT appraisal manual was revised (Feb, 2006) to pay 100% value for areas outside of pavement (the traveled way).

III - 15

END



# Preparing Temporary R/W Descriptions

- Descriptions for temporary right of way require special attention. Temporary right of way for the purpose of building removal requires a separate transfer document and description, other temporary rights of way takings for other purposes can be combined into one transfer document. Be sure you are using the revised temporary right of way transfer forms. The T-3 (general) and T-1 (drive construction). Only the T-2 (building demolition) is a sole purpose document.



# Limited Access R/W Legal Descriptions

- **If a fee taking is included use deed Form WL-1**
  - TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as **ROAD** and as Project **DES NO.** to and from the Grantor(s) remaining lands where they abut the Real Estate. 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.



# Limited Access R/W Legal Descriptions

- **If fee taking with only partial control of access use Form WL-2**
  - TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as **ROAD** and as Project **DES NO. \_\_\_\_\_** 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.



# Limited Access R/W Legal Descriptions

- **Use Form WL-3 if the fee taking is only access rights "LIMITATION OF ACCESS CONTROL LINE"**
  - The permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known as (ROAD) and as Project (DES NO) to and from the Grantor(s) remaining lands where they abut a certain limited access control line situated on Real Estate located in the County of NAME OF COUNTY, State of Indiana, the said line being more particularly described in the legal description(s) attached hereto as Exhibit "A" and the Right of Way Parcel Plat attached hereto as Exhibit "B", which said exhibits are incorporated herein by reference. The limitation of access granted herein 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.



# Limited Access R/W Legal Descriptions

- Use Form WL-4 **PARTIAL LIMITATION OF ACCESS CONTROL LINE** permanent extinguishment of all rights and easements of ingress and egress to, from and across the highway facility known a **ROAD** and as Project **(DES NO)** to and from the Grantor(s) remaining lands where they abut a certain limited access control line situated on Real Estate located in the County of **NAME OF COUNTY**, State of Indiana, the said line being more particularly described in the legal description(s) attached hereto as Exhibit "A", which said exhibit is incorporated herein by reference. The limitation of access granted herein 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.



# Limited Access R/W Legal Descriptions

- Legal descriptions that describe line(s) for control of access do not start “ A part of” but start “Commencing at”
- Never contain an area
- The beginning clause should be “For the Purpose of.” 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 USR 52, and as INDOT project\_\_\_\_\_), to and from the owners land along the line or lines described as follows:
  - Insert description
  - The above 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.



# Limited Access R/W

- PRIVATE EASEMENTS – MUST BE CLEARED
- OTHER RIGHTS NOT VESTED WITH THE FEE HOLDER.
- MINERAL RIGHTS – ARE CLEARED SOME/MOST OF THE TIME BY INDOT – BY ONLY ACQUIRING SURFACE RIGHTS.
- ALL INGRESS AND EGRESS EASEMENTS MUST BE CLEARED.
- DEED FORMS: MQCD – 1 to 6 ARE USED FOR CLEARANCE.



# Limited Access R/W Issues

- PURPOSE: ALL PRIVATE ACCESS IS EXTINGUISHED/CONTROLLED
- PURPOSE: INDOT WILL HAVE IN THE PUBLIC RECORD, DOCUMENTS THAT WILL PROVIDE NOTICE OF INDOT'S INTENT TO PRIVATE OWNERS TO CONTROL ACCESS.



# Limited Access R/W Issues

- WHEN INDOT IS CLOSING A PUBLIC WAY WITH A LIMITED ACCESS FACILITY, INDOT WILL ATTEMPT TO ACQUIRE ACCESS RIGHTS FROM THE PRIVATELY OWNED PROPERTY TO THE CENTERLINE OF THE PUBLIC WAY FROM THE ABUTTING OWNERS TO THE PUBLIC WAY.



# Limited Access R/W Issues

- WHEN INDOT IS CLOSING AN OWNER'S ACCESS TO A PUBLIC WAY, BUT INDOT IS PROVIDING ACCESS TO THE OWNER'S PROPERTY BY A LOCAL ACCESS ROAD.
- THE LEGAL DESCRIPTION OF THE ACCESS CONTROL WILL BE FOLLOWED BY A reservation clause – HOWEVER: The owner and their successors in title shall have access rights to a Local Service Road where the owner's remaining land abuts upon the following described line(s) .
- The above 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.



# Redact Statement

- This instrument prepared by and 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.
- \_\_\_\_\_ (signed by DAG)
- \_\_\_\_\_ (name of DAG)
- Attorney No. \_\_\_\_\_
- Office of the Attorney General
- 302 W. Washington St., 5th Floor
- Indianapolis, IN 46204-2770
- *At the bottom of the last page of the transfer document*



# Preparing Final R/W Plans

- Final R/W Plans are prepared. The plans must show all property line and road boundaries delineated with a bold dashed line. Each ownership of property is identified with a parcel number in a circle with an arrow to the take area. Special interests notes are added such as, 20 foot gas line easement in favor of....., contract of sale in favor of....., or lease in favor of....., sign easement in favor of....., life estate in favor of....., or mortgage line etc. The owners name is corrected as necessary to match the name of record shown in the Title & Encumbrance Report. Each intersection of a property line and another property line is identified with a station and offset and labeled (PL)/(PL). Each intersection of a property line and a road boundary is identified with a station and offset and labeled (PL)/(PL).



# Preparing Final R/W Plans (cont.)

- Each intersection of existing road boundaries is identified with a station and offset and labeled (PL)/(PL). All intersections of property lines and new R/W must be identified by station and offset and labeled (PL)/(R/W). All special interests must be labeled as to who the interest is in favor of and identified by note and arrow to the area to be cleared. If the interest is not to be cleared only the note is added to the plans. Note each line shown on the R/W Plans must be located by station and offset. All buildings, private signs must be located by station and offset.
- **ALL MITIGATION SITES SHALL BE SHOWN ON THE R/W PLANS**
- **USE DES# AS NOTE ON R/W PLAN TITLE SHEET.**



# Final R/W Plan Details

- All subdivisions must be plotted showing lot lines and lot numbers. Subdivision lot lines which fall in existing public ways are shown as dashed lines and labeled original lot lines. The Subdivision name (as shown on the recorded plat), platted utility easements, easements of ingress and egress, cross easements and access control easements are shown on the Final R/W Plans. Lot set back lines are not typically shown on the plans. Also, any existing limited access R/W acquired by the INDOT must be shown on the R/W Plans. Copy of Final R/W Plans are sent to the designer. How were the boundaries of the subdivision established?



# Plat No. 1

- The Plat No. 1 is prepared. Parcel numbers in circles are added and arrows to the correct ownership, identification of residue areas are added only by name, residue "A", residue "B" etc, no areas in acres or square feet are shown on the Plat NO. 1. Owner access to all residues should be shown on the Plat No. 1. All property lines are labeled (PL), the same procedure applies to a Plat 3. On limited access projects the Plat 1 is very important.



# Limited Access R/W – Plat No. 1

- The Plat No. 1 must be complete.
- The Plat No. 1 must show all owner residues effected by the project taking.
- The Plat No. 1 must show how each owner residue has access to the public highway system.
- The Plat No. 1 must show any landlocked residues.



# Final R/W Plan Details

- Topographical features shown on Final R/W Plans must be located by station and offset. This includes all buildings and private advertising signs. INDOT signs need not be located.
- Location of any feature is by the nearest point of that feature to the Right of way line.
- Topographical notes must appear on all R/W Plans.
- Nearest point to survey centerline.



# Final R/W Plan Details

- Revision notes are added to each Final R/W Plan sheet and to the revision index box as revisions occur during the R/W Engineering phase, Appraising phase, and Buying phase. The revision note contains the parcel number that was revised, what was changed and the date of the revision, LRS is updated as needed.



# Additional Survey Data

- If additional surveying is requested and approved by INDOT, all additional survey data collected by the consultant (this includes section corners, quarter section corners, additional property corners, new drives, buildings, private signs, etc.) must be added to the Final R/W Plans and revised copies distributed as necessary. Recording in the county and cross-referenced as necessary to LCRS plat already recorded for the project.
- Why is the additional survey data needed?



# Preparing R/W Parcel Packet for Appraising

- Prepare R/W parcel packet for appraising
  - Includes original signed legal descriptions,
  - Original signed R/W Parcel Plats,
  - Original prepared exhibits for transfer documents.
  - Copy of Title & Encumbrance Report
- White tyvek Envelope –(paper) (NEEDED)
- All loaded into ERMS 4 for “Real Estate”
- INSTRUCTIONS for ERMS 4 is online.



# ENG File

- L-10
- Area computation sheet
- All cogo output and traverses
- Existing R/W documentation
- Title & Encumbrance Report
- Special Parcel documentation
- Final R/W Plans
- All loaded into ERMS 4 for "RE" – no paper



# Construction R/W Staking

- **865 IAC 1-12-5 Property surveys affected**
- **Authority: IC 25-21.5-2-14**
- **Affected: IC 25-21.5**
  - (2) Construction surveys made for the purpose of marking the limits of existing easements or rights-of-way for the construction
  - of improvements within the easement or rights-of-way must be executed by a registered land surveyor but are only subject to
  - The provisions of sections 1 through 4 and 6 of this rule.



# R/W Staking

1. All major R/W break points that fall outside of pavement will be set with a 5/8 by 24 inch re-bar with a plastic cap at least 2 3/4 inches in diameter. The cap can be a Berntsen M43F-MORASSE 2 3/4" diameter plastic cap or other of comparable quality may be used.
  - A. All major R/W break points falling in a paved area will be set with a steel nail marker 3 inches in length and 11/32 in diameter with a survey washer 1 9/16 inch diameter and 3/32 inch thickness stamped with the surveyors ID number. The Berntsen SNM1 steel nail marker and the Berntsen AT1 survey washer or other comparable quality may be used
2. All property line and property line intersections (PL,PL) or property line and right of way intersections (PL, R/W), points will be set using a Mag-Nail set under a wooden hub of at least 12 inches in length *and protruding about 4 inches (1 1/2 inches if set in a lawn area) if the location is in dirt. This is in order to facilitate the recovery of the location if the hub is inadvertently destroyed or removed.*



# R/W Staking Continued

3. All points set will be marked with a lath with ribbon and the station and offset written on the lath.
4. A R/W Staking report is required. The report will state which original survey control monuments were used, the method and procedure for coordinate stake out, and if GPS is used, the basis of calibration between WGS84 and the grid coordinates. The report will also state the difference between the computed coordinate from the description and the "as staked" coordinate of the monument set.
5. All private signs will be located and shown in the sign inventory. If the sign is not shown on the R/W plans the R/W plans will be revised to show the sign or signs.



# R/W Staking Continued

6. All encroachments into existing R/W will be located and added to the R/W Plans as necessary. Report to District Permit section.
7. R/W staking report will be completed and returned to the District Real Estate Office.
8. Staking Report will include control points found/used for staking R/W, also method, total station, GPS.
9. Temporary R/W break points will be set using re-bar as stated in item two above, a mag nail will be set if the temporary R/W break point falls in a paved area, all points set are to be marked with station and offset.



# Private Sign Inventory

During the R/W staking process a private sign/encroachment inventory is created for the project. All private signs and encroachments are located with pictures taken. In addition, any new topographical features such as new drives, buildings, or other features not previously located on the current plans are located and added to the plans. A revision note is added. This inventory is used by the appraisers and the real estate office to clear the right of way.



# IC 32-24-1-4

## ■ Complaint

- Sec. 4. (a) If the person seeking to acquire the property does not agree with the owner of an interest in the property or with the guardian of an owner concerning the damages sustained by the owner, the person seeking to acquire the property may file a complaint for that purpose with the clerk of the circuit court of the county where the property is located.
- (b) The complaint must state the following:
  - (1) The name of the person seeking to acquire the property. This person shall be named as the plaintiff.
  - (2) The names of all owners, claimants to, and holders of liens on the property, if known, or a statement that they are unknown. These owners, claimants, and holders of liens shall be named as defendants.
  - (3) The use the plaintiff intends to make of the property or right sought to be acquired.
  - (4) If a right-of-way is sought, the location, general route, width, and the beginning and end points of the right-of-way.



# IC 32-24-1-4 (b)

- **Sample project description to be used in preparing service orders, and should appear on the R/W plans:**
  - *A curve correction, added travel lanes, intersection improvement, median construction, road rehabilitation, auxiliary lanes, small structure replacement, etc., located \_\_\_\_\_ feet North, \_\_\_\_\_ South, \_\_\_\_\_ or East, \_\_\_\_\_ West, of the Southwest corner of Section \_\_\_\_\_, Township \_\_\_\_\_ North or South, Range \_\_\_\_\_, East or West at station \_\_\_\_\_, Line \_\_\_\_\_, or the project begins at the intersection of USR \_\_\_\_\_ and SR \_\_\_\_\_ in \_\_\_\_\_ County, Indiana and follows the present, or new alignment of USR \_\_\_\_\_ to the southwest or northeast, east west etc...to \_\_\_\_\_ (city), Indiana, in \_\_\_\_\_ County, the length of the project is \_\_\_\_\_ miles. The average width for the right of way is   X   feet or meters, except more or less right of way that may be needed for construction purposes."*
  - *Being 0.00 miles north of USR? To 0.00 miles north of USR?*



# IC 32-24-1-4 Continued

- (5) A specific description of each piece of property sought to be acquired and whether the property includes the whole or only part of the entire parcel or tract. If property is sought to be acquired by the state or by a county for a public highway or by a municipal corporation for a public use and the acquisition confers benefits on any other property of the owner, a specific description of each piece of property to which the plaintiff alleges the benefits will accrue. Plats of property alleged to be affected may accompany the descriptions.
- (6) That the plaintiff has been unable to agree for the purchase of the property with the owner, owners, or guardians, as the case may be, or that the owner is mentally incompetent or less than eighteen (18) years of age and has no legally appointed guardian, or is a nonresident of Indiana.
  - (c) All parcels lying in the county and required for the same public use, whether owned by the same parties or not, may be included in the same or separate proceedings at the option of the plaintiff. However, the court may consolidate or separate the proceedings to suit the convenience of parties and the ends of justice. The filing of the complaint and a lis pendens notice in any eminent domain action under this article constitutes notice of proceedings to all subsequent purchasers and persons taking encumbrances of the property, who are bound by the notice.



# Example LA R/W Legal Description

## EXHIBIT "A"

Project: 0600340  
Parcel : 446 Fee  
Tax ID: 80-04-36-400-004.020-009  
Sheet: 1 of 3  
Code: 5092

A part of the Southeast Quarter of Section 36, Township 23 North, Range 3 East, Tipton 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 northeast corner of said section, designated as point "557" on said plat; thence South 0 degrees 25 minutes 22 seconds West 2,655.58 feet along the east line of said section to the northeast corner of said quarter section, designated as point "3202" on said plat; thence South 88 degrees 57 minutes 13 seconds West 132.14 feet along the north line of said quarter section to the west limited access boundary of U.S.R. 31 to the point of beginning of this description: thence South 0 degrees 02 minutes 21 seconds West 145.13 feet along the said limited access west boundary of said USR 31 to the north terminus of a 50-foot access opening described in Deed Record 119, page 576; thence South 0 degrees 02 minutes 21 seconds West 50.00 feet along the west boundary of said USR 31; thence South 0 degrees 02 minutes 21 seconds West 467.72 feet along the west limited access boundary of said U.S.R. 31 to the southeast corner of the grantor's land; thence South 89 degrees 00 minutes 09 seconds West 26.91 feet along the south line of the grantor's land; thence North 6 degrees 13 minutes 03 seconds East 94.34 feet to the point designated as "4246" on said plat; thence North 0 degrees 47 minutes 47 seconds East 569.43 feet to the north line of said quarter section; thence North 88 degrees 57 minutes 13 seconds East 9.23 feet along said north line to the point of beginning and containing 0.217 acres, more or less.

Also, for the purposes of establishing a limited access facility, the permanent extinguishment of all rights and easements of ingress and egress to form and across the limited access facility (to be known as USR 31, and as INDOT RW Code 5092), to and from the owners land along the line or lines described as follows: Beginning at the North end of the 467.72-foot course described; thence North 0 degrees 02 minutes 21 seconds East 50.00 feet along the west boundary of said USR 31 and terminating at the South end of the 641.95-foot course described in said Deed Record 119, Page 567; HOWEVER the owner and their successors shall have access to USR 31 along the line described as follows: Commencing on the West limited access boundary of said USR 31 at the North end of the 641.95-foot course described in said Deed Record 119, page 567;

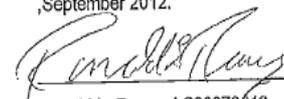
## EXHIBIT "A"

Project: 0600340  
Parcel : 446 Fee Full Limitation of Right of Way Form: WL-1  
Tax ID: 80-04-36-400-004.020-009  
Sheet: 2 of 3  
Code: 5092

thence North 0 degrees 29 minutes West (bearing taken from Deed Record 119, page 567) a distance of 690.98 feet along the limited access boundary of said USR 31 to the point of beginning of the described line: thence North 0 degrees 29 minutes 00 seconds West (bearing taken from Deed Record 119 page 567) a distance of 60.00 feet along the boundary of said USR 31 and terminating on a North line of the owners land.

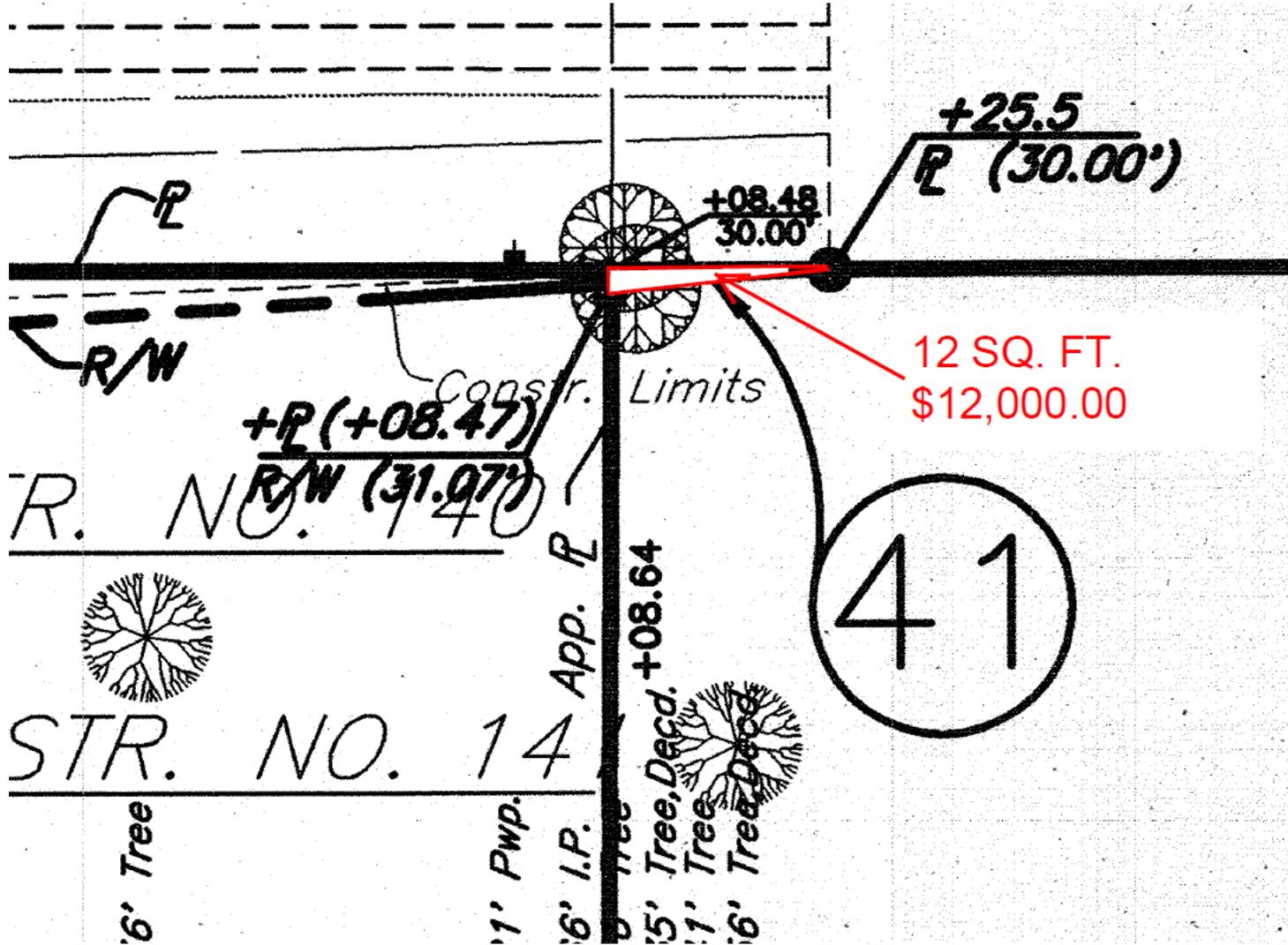
This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description prepared for the Indiana Department of Transportation by Ronald L. Raney a Registered Land Surveyor in the State of Indiana License Number LS8080012 on this 13<sup>th</sup> day of ,September 2012.

  
Ronald L. Raney, LS80870012—Rev. 9-13-2012



# Could I make an ERROR?



# Secured (error) Parcel details

L/A Code: 4308

Project R/W: 1003003

Des #: 9704200

Parcel #: 41

Parcel County: Randolph

Road: SR-32

Parcel Status: CLEAR

Packet Location: REC - FILE 10/27/2008

Owner Name: BROWN, CHRISTINA K.

Address: 1926 E. WASHINGTON STREET  
WINCHESTER, IN 47394

Phone:

Property Location: 1926 E WASHINGTON ST, WINCHESTER, IN 47394

Building: No

Relocation: No

Lease: No

Auction: No

Excess Land: No

Turnkey: No

Centerline: A

From Station: 0997+000

To Station: 0997+250

LT/RT: RIGHT

Nature Of Title: FS

Appraiser: HAIRE, ED

Appraised Amt: \$12,000.00

Property Use: Residential Improved

Buyer: WILKINS, BETH

Deed Amt: \$12,000.00

Secured Date: 08/13/2008

Settlement: NEGO

R/E:

Condemned:

Money Posted:

Judgement:

Record:

Recorded Date: 09/29/2008

Instrument: 20084257

Temp Release:



# Land Records System

## Contact Current LRS Administrator



**Kathy Heistand**

**[kheistand@indot.in.gov](mailto:kheistand@indot.in.gov)**

- **LRS Initial Access Training**
- **New Projects: Associate RFP to DES**
- **LRS Turnkey Training**

# LRS Project / Parcel Search

Project - Parcel - Voucher Search - Windows Internet Explorer

https://lrs.indot.in.gov/F03/S002.aspx

Project - Parcel - Voucher Search



INDOT Land Records System

Home  
Reference Data  
System Maintenance  
Project Contract Maintenance  
Reports  
User Guide  
Support

Project Basket +  
Parcel Basket +

2 Messages

Project Search Parcel Search Voucher Search

Land Acq. Code:  DES #:

County +  
District +  
Dates +  
Program Manager +  
Project Manager +  
SPMS Project Status +  
Project Record Status [Active,] +  
Program Class +  
Route +  
More Fields +

Project Search Result (0)



# LRS Parcel Map

Engineering

Abstract Parcel Residual **Map**

**Map Search Tools**

DES #

Address

County

State Property ID

SEC TWP RNG

**Search Results**

State Property ID

Street

City

State

Zip

County

Country

SEC TWP RNG

Geometry

**Legend, parcel status**

- Active
- Clear
- Condemned
- Eliminated
- Settled

Map Search Tools

Map Search Results

Legend, parcel status

Map Search Tools

Map Search Results

Legend, parcel status



# LRS Abstract (Parcel Data)

Engineering

Abstract Parcel Residual Map

143262

Section	Township	Range	
2	7N	2W	X

County	Monroe	Total Area	5.52
Legal Description	Pt of SW 1/4	Present Existing R/W Area	0 AC
State Property Id	531002300011000007	County Property Id	531002300011.000-007
Abstractor Name	Gorman, Lucinda	Abstract Assigned Date	2/19/2013
Abstract Due Date	04/05/2011	Abstract Complete Date	04/05/2011
Abstract Effective Date	04/05/2011	Property Location	7212 Rockport Road, Bloomington, In 47403
Map Location	-86.6038, 39.0711		
Reviewer Name		Reviewer Assigned Date	
Reviewer Received Date		Reviewer Due Date	
Reviewer Complete Date			



# LRS Suffix Screen

Engineering

Abstract **Parcel** Residual Map

Eng. Suffix

Filter: AND 

Suffix	Acquired Area	Eliminated Date
	.037 AC	08/17/2011 
A	.193 AC	

Showing 1-2 of 2 Items Per Page 10 Prev 1 Next

Screen Mode: ADD

Suffix

State Property Id

Centerline

Side of Centerline

Nature of Title

Rights Acquired

Eliminated Date

Eliminated Reason

County Property Id

From Station

To Station

Building Acquired

Land Acquired English

Land Acquired Metric

Save Cancel



# LRS Residue Screen

Engineering

Abstract Parcel **Residual** Map

Residual

Filter: AND

Suffix	Residual Area	Area Units	Status	Status Date	
A	2.034	AC	Act.	09/12/2013	  
B	0.464	AC	Act.	09/12/2013	  

Showing 1-2 of 2  Items Per Page  Prev  Next





# LRS Packet Inquiry

Packet Inquiry - Windows Internet Explorer

149968 - Parcel Maintenance Packet Inquiry

**Parcel Header**

Land Acq. Code: \_\_\_\_\_ DES #: 1382581 [Owner Name](#)

Parcel #: \_\_\_\_\_ Parcel County: Morgan Primary Phone#: \_\_\_\_\_ t Phone#: \_\_\_\_\_

Parcel Status: ACTIVE District: Seymour Owner Email: \_\_\_\_\_

Packet Location: To: BUY - NEGOTIATION Road: PR 69 Owner Address: \_\_\_\_\_

Incentive Available: N Project Manager: \_\_\_\_\_ Property (parcel) Location: \_\_\_\_\_

Page is View Only - Packet is not available in this Discipline

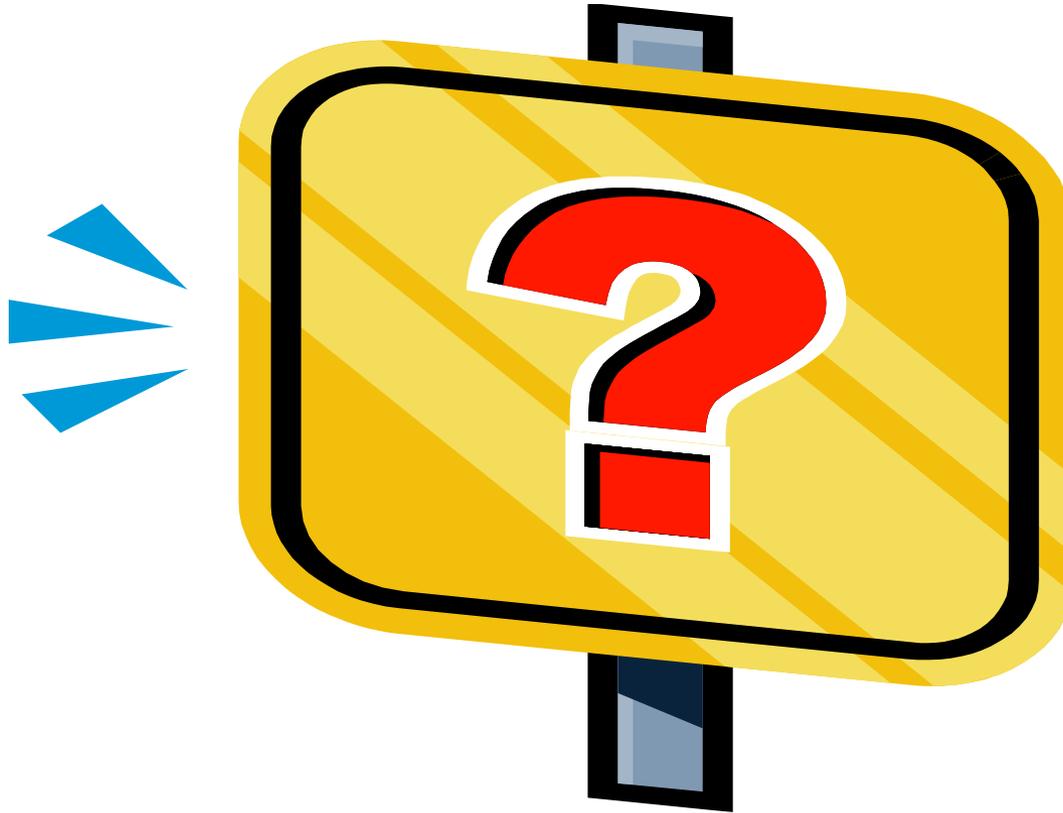
**Packet Inquiry**

	Date	User	Reason	Staff/Fee	Override Reason
<b>Sent:</b>	12/20/2013 09:51 AM		Buying NEGOTIATION	Staff	
<b>Received:</b>	12/20/2013 09:51 AM		Appraising		
<b>Sent:</b>	12/11/2013 11:03 AM		Appraising REVIEW	Staff	
<b>Received:</b>	12/10/2013 08:45 AM		Appraising		
<b>Sent:</b>	09/20/2013 02:44 PM		Appraising APPRAISAL	Staff	
<b>Received:</b>	09/20/2013 02:43 PM		Engineering		
<b>Sent:</b>	09/20/2013 02:43 PM		Engineering REVIEW	Staff	
<b>Received:</b>	08/15/2013 12:59 PM		Engineering		

Showing 1-4 of 4 Items Per Page 10 Prev 1 Next



# Questions?



# Everyone Wants to be First

