

KEY NO.: 164-03400-0010  
STATE ID NO.: 79-07-19-300-003.000-026

PROJECT: Purdue Perimeter Parkway- Phase 1A  
PARCEL NO.: 1B thru 1H TEMP  
COUNTY: Tippecanoe  
OWNER: The Trustees of Purdue University

### **TEMPORARY RIGHT OF WAY**

THIS INDENTURE WITNESSETH THAT THE TRUSTEES OF PURDUE UNIVERSITY (Grantor), a body corporate created and existing under the laws of the State of Indiana Hovde Hall, Room 247, 610 Purdue Mall, West Lafayette, IN 47907-2040, conveys and warrants to the CITY OF WEST LAFAYETTE of the State of Indiana, (Grantee) for use as temporary right of way for the purpose of yard grading, structure removal and drive construction, the following Real Estate in Tippecanoe County in the State of Indiana.

PARCEL: 1B thru 1H TEMP                      PROJECT: Purdue Perimeter Parkway- Phase 1A

#### **DESCRIPTION: EXHIBIT "A"**

(the "Real Estate").

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor, for the purpose of inducing the City of West Lafayette to accept this grant, represents that the Grantor is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens of any kind or character which would be inconsistent with the temporary rights granted herein.

Grantee agrees that upon the completion of any construction, reconstruction, modification, supplementation, maintenance, operation, and/or removal in connection with the purposes of this Temporary Right of Way, Grantee shall restore the area described on Exhibit A and any areas of Grantor's property disturbed by Grantee. Grantee shall grade, seed, and mulch the same, closing all excavations with proper backfill and compaction, and replacing, with similar quality or better, any and all then existing improvements, landscaping, driveways, parking lots, sidewalks, drainage tiles, utility lines, and other appurtenances on, under, through, or over the area described on Exhibit A and/or the disturbed areas of Grantor's property at no expense to Grantor.

The temporary right of way automatically reverts back to the property owner at the completion of the project.

The undersigned person executing this Temporary Right-of Way represents and certifies on behalf of the Grantor, that he is the Treasurer of the Grantor and has full authority to manage the affairs and sign and execute documents on behalf of **THE TRUSTEES OF PURDUE UNIVERSITY**, a body corporate created and existing under the laws of the State of Indiana, and that their authority has not been revoked; that he is, therefore, fully authorized and empowered to convey to the City of West Lafayette of the State of Indiana the Real Estate and to execute all the necessary instruments in connection therewith.

IN WITNESS WHEREOF, the above-named Grantor THE TRUSTEES OF PURDUE UNIVERSITY, a body corporate created and existing under the laws of the State of Indiana, has caused this Temporary Right-of-Way to be executed by its duly authorized officer this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

THE TRUSTEES OF PURDUE UNIVERSITY  
a body corporate created and existing under the laws of the State of Indiana

By: \_\_\_\_\_  
Al V. Diaz, Treasurer

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF TIPPECANOE    )

Before me, the undersigned, a Notary Public in and for said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, personally appeared THE TRUSTEES OF PURDUE UNIVERSITY, a body corporate created and existing under the laws of the State of Indiana, by Al. V. Diaz, its Treasurer, who acknowledged the execution of the foregoing Temporary Right-of-Way for and on behalf of said Grantor, and who, having been sworn, stated that the representations therein contained are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Notary Public

County of Residence: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**ACCEPTED: CITY OF WEST LAFAYETTE BY ITS BOARD OF PUBLIC WORKS**

\_\_\_\_\_  
John R. Dennis Mayor

\_\_\_\_\_  
Sana G. Booker, Member

\_\_\_\_\_  
Bradley W. Marley, Member

\_\_\_\_\_  
Jonathan C. Speaker, Member

\_\_\_\_\_  
Elizabeth M. Stull, Member

ATTEST:

\_\_\_\_\_  
Judith C. Rhodes, Clerk-Treasurer

STATE OF INDIANA:        }  
                                  } SS:

COUNTY OF TIPPECANOE}

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John R. Dennis, Sana G. Booker, Bradley W. Marley, Jonathan C. Speaker and Elizabeth M. Stull of the West Lafayette Board of Public Works and Safety, and acknowledge the execution of the above release, for the uses and purposes herein mentioned.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2010

I am a resident of \_\_\_\_\_ County.

\_\_\_\_\_  
Signature

My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name

"I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law, Ronald L. Francis

Instrument prepared by: Eric H. Burns, Withered Burns & Persin, LLP, 8N 3<sup>rd</sup> St. Suite 401, P.O. Box 499 Lafayette, IN 47901  
Grantee's Address: City Hall 609 West Navajo Street, West Lafayette, IN 47906

**NOTE: THE FILING OF A SALES DISCLOSURE FORM 46021 (R 8/7/08) IS NOT REQUIRED IN ORDER TO RECORD THIS INSTRUMENT BECAUSE THIS IS A GIFT, CONVEYANCE, GRANT, AND/OR ASSIGNMENT OF AN INTEREST IN REAL PROPERTY FOR NO CONSIDERATION BEYOND NOMINAL CONSIDERATION RECITED IN THIS DOCUMENT.**

**EXHIBIT "A"**

Project: DEM-0501163  
Parcel: 1B Temporary R/W for Grading  
Form: T-3

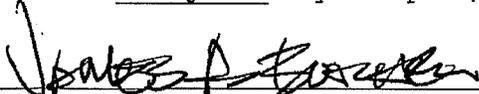
Sheet: 1 of 9

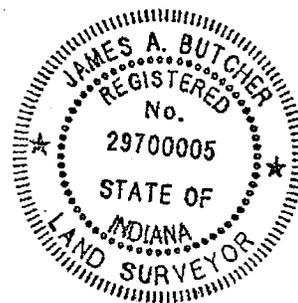
A part of the Southwest Quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana described as follows:

Commencing at the southeast corner of said quarter section; thence North 0 degrees 23 minutes 25 seconds West (basis of bearings) 1,329.72 feet along the east line of said quarter section to the southeast corner of the north half of said quarter section; thence North 88 degrees 19 minutes 25 seconds West 1,755.24 feet along the south line of said half-quarter section to the POINT OF BEGINNING of this description; thence North 52 degrees 21 minutes 49 seconds West 57.84 feet; thence North 19 degrees 27 minutes 02 seconds West 123.55 feet; thence South 88 degrees 00 minutes 54 seconds East 35.01 feet; thence South 1 degree 59 minutes 06 seconds West 23.96 feet; thence South 70 degrees 33 minutes 09 seconds West 18.83 feet; thence South 19 degrees 26 minutes 45 seconds East 72.14 feet; thence South 89 degrees 13 minutes 11 seconds East 53.38 feet; thence South 7 degrees 33 minutes 37 seconds West 52.08 feet to the POINT OF BEGINNING, containing 0.069 acres, more or less.

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 9<sup>th</sup> day of April, 2010.

  
James A. Butcher, L.S.  
Registered Land Surveyor  
State of Indiana, No. 29700005



**EXHIBIT "A"**

Project: DEM-0501163  
Parcel: 1C Temporary R/W for Grading  
Form: T-3

Sheet: 2 of 9

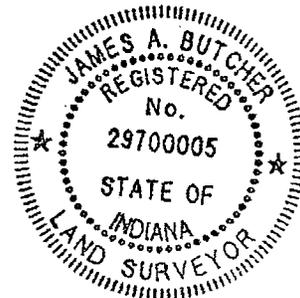
A part of the Southwest Quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana described as follows:

Commencing at the southeast corner of said quarter section; thence North 0 degrees 23 minutes 25 seconds West (basis of bearings) 1,329.72 feet along the east line of said southwest quarter to the southeast corner of the north half of said quarter section; thence North 88 degrees 19 minutes 25 seconds West 1,110.23 feet along the south line of said half-quarter section to the POINT OF BEGINNING of this description; thence continuing North 88 degrees 19 minutes 25 seconds West 100.00 feet; thence North 57 degrees 25 minutes 01 seconds West 31.00 feet; thence North 88 degrees 23 minutes 53 seconds East 447.56 feet; thence South 88 degrees 14 minutes 20 seconds East 475.08 feet; thence South 46 degrees 02 minutes 03 seconds West 5.89 feet; thence North 88 degrees 26 minutes 24 seconds West 84.45 feet; thence North 88 degrees 00 minutes 54 seconds West 386.53 feet; thence South 84 degrees 49 minutes 04 seconds West 322.52 feet to the POINT OF BEGINNING, containing 0.190 acres, more or less.

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 9th day of April, 2010.

James A. Butcher  
James A. Butcher, L.S.  
Registered Land Surveyor  
State of Indiana, No. 29700005



## EXHIBIT "A"

Project: DEM-0501163

Sheet: 3 of 9

Parcel: 1D Temporary R/W for Grading and Drive Construction

Form: T-3

A part of the Southwest Quarter and a part of the Southeast Quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana described as follows:

Commencing at the southeast corner of the southwest quarter of said section; thence North 0 degrees 23 minutes 25 seconds West (basis of bearings) 1,329.72 feet along the east line of said southwest quarter section to the southeast corner of the north half of said southwest quarter section; thence North 88 degrees 19 minutes 25 seconds West 1,110.23 feet along the south line of said half-quarter section; thence North 84 degrees 49 minutes 04 seconds East 322.52 feet; thence South 88 degrees 00 minutes 54 seconds East 386.53 feet; thence South 88 degrees 26 minutes 24 seconds East 84.45 feet; thence North 46 degrees 02 minutes 03 seconds East 27.96 feet; thence South 89 degrees 31 minutes 50 seconds East 48.47 feet to the POINT OF BEGINNING of this description; thence North 1 degree 14 minutes 17 seconds East 235.32 feet; thence South 88 degrees 02 minutes 45 seconds East 275.01 feet; thence South 1 degree 21 minutes 51 seconds West 250.01 feet; thence North 88 degrees 02 minutes 45 seconds West 247.76 feet; thence North 43 degrees 41 minutes 16 seconds West 21.45 feet; thence North 89 degrees 31 minutes 50 seconds West 11.54 feet to the POINT OF BEGINNING, containing 1.570 acres, more or less.

**EXHIBIT "A"**

Project: DEM-0501163  
Parcel: 1D Temporary R/W  
Form: T-3

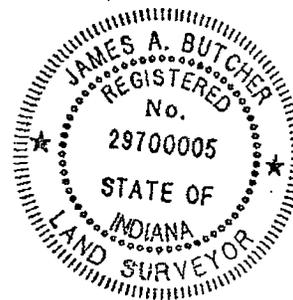
Sheet: 4 of 9

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 9<sup>th</sup> day of April, 2010.

*James A. Butcher*

James A. Butcher, L.S.  
Registered Land Surveyor  
State of Indiana, No. 29700005



## EXHIBIT "A"

Project: DEM-0501163  
Parcel: 1E Temporary R/W for Grading  
Form: T-3

Sheet: 5 of 9

A part of the Southeast Quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana described as follows:

Commencing at the southwest corner of said southeast quarter section; thence North 0 degrees 23 minutes 25 seconds West (basis of bearings) 1,329.72 feet along the west line of said quarter section to the southwest corner of the north half of said quarter section; thence South 88 degrees 19 minutes 47 seconds East 368.62 feet along the south line of said half-quarter section; thence North 0 degrees 23 minutes 25 seconds West 45.88 feet; thence North 89 degrees 24 minutes 19 seconds West 37.37 feet; thence South 49 degrees 20 minutes 30 seconds West 37.61 feet; thence South 1 degree 00 minutes 18 seconds West 10.00 feet; thence North 88 degrees 59 minutes 42 seconds West 118.00 feet to the POINT OF BEGINNING of this description; thence continuing North 88 degrees 59 minutes 42 seconds West 148.56 feet; thence North 1 degree 22 minutes 03 seconds East 1.00 feet; thence South 89 degrees 32 minutes 16 seconds East 105.56 feet; thence North 1 degree 00 minutes 18 seconds East 33.00 feet; thence South 88 degrees 59 minutes 42 seconds East 43.00 feet; thence South 1 degree 00 minutes 18 seconds West a distance of 35.00 feet to the POINT OF BEGINNING, containing 0.038 acres, more or less.

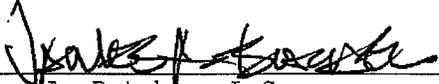
**EXHIBIT "A"**

Project: DEM-0501163  
Parcel: 1E Temporary R/W  
Form: T-3

Sheet: 6 of 9

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 9<sup>th</sup> day of April, 2010.



James A. Butcher, L.S.  
Registered Land Surveyor  
State of Indiana, No. 29700005



**EXHIBIT "A"**

Project: DEM-0501163

Sheet: 7 of 9

Parcel: 1F Temporary R/W for Grading and Structure Removal

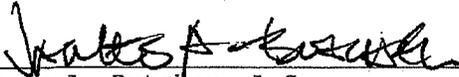
Form: T-3

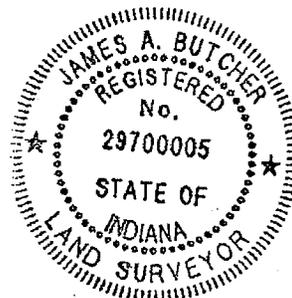
A part of the Southwest Quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana described as follows:

Commencing at the southeast corner of said quarter section; thence North 0 degrees 23 minutes 25 seconds West (basis of bearings) 1,329.72 feet along the east line of said southwest quarter to the southeast corner of the north half of said quarter section; thence North 88 degrees 19 minutes 25 seconds West 380.13 feet along the south line of said half-quarter section; thence South 0 degrees 19 minutes 08 seconds West 71.28 feet; thence North 89 degrees 37 minutes 20 seconds West 87.19 feet; thence South 88 degrees 08 minutes 20 seconds West 596.34 feet; thence South 76 degrees 11 minutes 52 seconds West 275.67 feet; thence North 88 degrees 00 minutes 54 seconds West 287.92 feet to the POINT OF BEGINNING of this description; thence South 1 degrees 59 minutes 06 seconds West 75.00 feet; thence North 88 degrees 00 minutes 54 seconds West 93.05 feet; thence North 1 degree 59 minutes 06 seconds East 75.00 feet; thence South 88 degrees 00 minutes 54 seconds East 93.05 feet to the POINT OF BEGINNING, containing 0.160 acres, more or less.

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 9<sup>th</sup> day of April, 2010.

  
James A. Butcher, L.S.  
Registered Land Surveyor  
State of Indiana, No. 29700005



**EXHIBIT "A"**

Project: DEM-0501163  
Parcel: 1G Temporary R/W for Grading  
Form: T-3

Sheet: 8 of 9

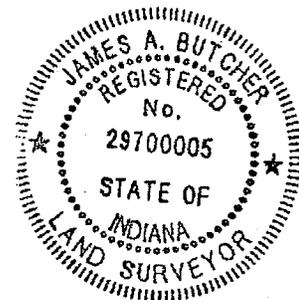
A part of the Southwest Quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana described as follows:

Commencing at the southeast corner of said southwest quarter section; thence North 0 degrees 23 minutes 25 seconds West (basis of bearings) 1,329.72 feet along the east line of said quarter section to the southeast corner of the north half of said quarter section; thence North 88 degrees 19 minutes 25 seconds West 380.13 feet along the south line of said half-quarter section; thence South 0 degrees 19 minutes 08 seconds West 71.28 feet; thence North 89 degrees 37 minutes 20 seconds West 87.19 feet; thence South 88 degrees 08 minutes 20 seconds West 482.26 feet to the POINT OF BEGINNING of this description; thence South 4 degrees 48 minutes 44 seconds West 20.28 feet; thence North 87 degrees 59 minutes 20 seconds West 157.14 feet; thence North 76 degrees 11 minutes 52 seconds East 46.05 feet; thence North 88 degrees 08 minutes 20 seconds East 114.09 feet to the POINT OF BEGINNING, containing 0.049 acres, more or less.

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 9<sup>th</sup> day of April, 2010.

  
James A. Butcher, L.S.  
Registered Land Surveyor  
State of Indiana, No. 29700005



**EXHIBIT "A"**

Project: DEM-0501163  
Parcel: 1H Temporary R/W for Grading  
Form: T-3

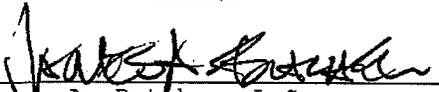
Sheet: 9 of 9

A part of the Southwest Quarter of Section 19, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana described as follows:

Commencing at the southeast corner of said southwest quarter section; thence North 0 degrees 23 minutes 25 seconds West (basis of bearings) 1,329.72 feet along the east line of said southwest quarter to the southeast corner of the north half of said quarter section; thence North 88 degrees 19 minutes 25 seconds West 380.13 feet along the south line of said half-quarter section; thence South 0 degrees 19 minutes 08 seconds West 71.28 feet; thence North 89 degrees 37 minutes 20 seconds West 87.19 feet to the POINT OF BEGINNING of this description; thence South 32 degrees 17 minutes 23 seconds East 93.03 feet; thence South 55 degrees 44 minutes 05 seconds West 19.65 feet; thence North 34 degrees 15 minutes 51 seconds West 107.48 feet; thence North 88 degrees 08 minutes 20 seconds East 27.08 feet to the POINT OF BEGINNING, containing 0.049 acres, more or less.

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 9th day of April, 2010.

  
James A. Butcher, L.S.  
Registered Land Surveyor  
State of Indiana, No. 29700005

