

KEY NO. <u>168-05301-0125</u>	PROJECT: <u>Cumberland Ave. Reconstruction Phase I</u>
	PARCEL NO.: <u>19&amp;19A</u>
	COUNTY: <u>TIPPECANOE</u>
	OWNER: <u>SH Pool Company, A Peppermill Village, LLC</u>

**LIMITED WARRANTY DEED**

THIS INDENTURE WITNESSETH THAT **SH POOL A PEPPERMILL VILLAGE, LLC**, a Delaware limited liability company ("**Grantor**"), conveys and warrants to the **CITY OF WEST LAFAYETTE** of the State of Indiana ("**Grantee**"), for and in consideration of Ten Dollars (\$10.00) and other valuable consideration the receipt whereof is hereby acknowledged, the following real estate in Tippecanoe County in the State of Indiana (the "**Real Estate**"), to-wit:

**PARCELS: 19 & 19 A**  
**PROJECT: Cumberland Ave. Reconstruction Phase I**

**DESCRIPTION:**

TWO TRACTS OF LAND BEING A PART OF THE REAL ESTATE CONVEYED TO SH POOL A PEPPERMILL VILLAGE, LLC IN INSTRUMENT NUMBER 06000284, RECORDED IN THE OFFICE OF THE TIPPECANOE COUNTY RECORDER LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 23 NORTH, RANGE 5 WEST, CITY OF WEST LAFAYETTE, TIPPECANOE COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**TRACT 19**

BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER, SAID POINT BEING NORTH 00 DEGREES 23 MINUTES 11 SECONDS WEST A DISTANCE OF 50.00 FEET OF THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 17 MINUTES 55 SECONDS WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF CUMBERLAND AVENUE A DISTANCE OF 593.70 FEET TO THE WEST LINE OF SAID PROPERTY; THENCE NORTH 00 DEGREES 35 MINUTES 41 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 25.00 FEET; THENCE NORTH 89 DEGREES 17 MINUTES 55 SECONDS EAST PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 27.86 FEET; THENCE SOUTH 72 DEGREES 15 MINUTES 59 SECONDS EAST A DISTANCE OF 31.62 FEET; THENCE NORTH 89 DEGREES 17 MINUTES 55 SECONDS EAST PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 370.00 FEET; THENCE NORTH 71 DEGREES 03 MINUTES 48 SECONDS EAST A DISTANCE OF 95.85 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 26 SECONDS EAST A DISTANCE OF 65.33 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 49 SECONDS EAST A DISTANCE OF 40.00 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 23 MINUTES 11 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 99.75 FEET TO THE POINT OF BEGINNING, CONTAINING 0.370 ACRES OF LAND, MORE OR LESS.

**ALSO**

TRACT 19-A

BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER AND EAST PROPERTY LINE, SAID POINT BEING NORTH 00 DEGREES 23 MINUTES 11 SECONDS WEST A

DISTANCE OF 149.75 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 36 MINUTES 49 SECONDS WEST PERPENDICULAR TO SAID EAST LINES OF A DISTANCE OF 40.00 FEET; THENCE NORTH 00 DEGREES 23 MINUTES 11 SECONDS WEST PARALLEL TO AND 40.00 FEET WEST OF SAID EAST LINES A DISTANCE OF 918.23 FEET TO THE NORTH PROPERTY LINE; THENCE NORTH 89 DEGREES 17 MINUTES 57 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 40.00 FEET TO THE AFOREMENTIONED EAST LINES; THENCE SOUTH 00 DEGREES 23 MINUTES 11 SECONDS EAST ALONG SAID LINES A DISTANCE OF 918.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.843 ACRES OF LAND, MORE OR LESS.

The foregoing conveyance shall be subject to: (i) all real estate taxes and assessments due and payable in November, 2010 and thereafter and (ii) any and all easements, covenants, restrictions, rights-of-way and other matters of record.

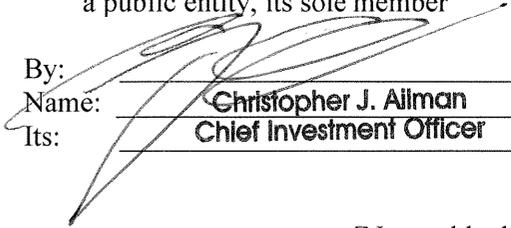
It is understood between the parties hereto, and their successors in title, and made a covenant herein which shall run with the land, that all lands hereinbefore described (excepting any parcels specifically designated as easements or temporary rights of way) are conveyed in fee simple and not merely for right of way purposes, and that no reversionary rights whatsoever are intended to remain in the grantor.

IN WITNESS WHEREOF, the said SH POOL A PEPPERMILL VILLAGE, LLC, has hereunto set her hand and seal, this 27<sup>th</sup> day of November, 2010.

**SH POOL A PEPPERMILL VILLAGE, LLC,**  
a Delaware limited liability company

By: SH Partner, LLC, a Delaware limited liability company,  
its sole member

By: California State Teachers' Retirement System,  
a public entity, its sole member

By:   
Name: Christopher J. Ailman  
Its: Chief Investment Officer

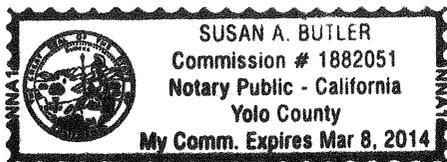
[Notary block on following page]

STATE OF CALIFORNIA )  
 )  
 ) SS:  
COUNTY OF YOLO )

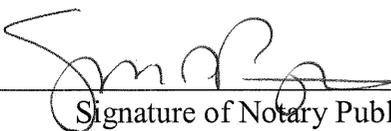
On Nov 18, 2010 before me, SUSAN A. BUTLER, Notary Public, personally appeared CHRISTOPHER G. AILMAN, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



[Seal]

  
\_\_\_\_\_  
Signature of Notary Public



**ACCEPTED: CITY OF WEST LAFAYETTE  
BOARD OF PUBLIC WORKS AND SAFETY**

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

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

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

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

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

Attest:

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

STATE OF INDIANA            )  
  ) SS: COUNTY  
COUNTY OF TIPPECANOE )

Before me, the undersigned, a Notary Public in and for said County and State, this \_\_\_\_ day of \_\_\_\_\_, 2010 personally appeared Mayor John R. Dennis, Bradley W. Marley, Sana G. Booker, 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.

Resident of \_\_\_\_\_ County

My Commission Expires

Signature \_\_\_\_\_

\_\_\_\_\_

Printed \_\_\_\_\_, Notary  
Public

This instrument prepared by: Eric H. Burns, of the firm of WITHERED BURNS & PERSIN, LLP 8 N. 3<sup>rd</sup> Street, Suite 401 P.O. Box 499 Lafayette, Indiana 47901 Telephone: (765) 742-1988

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security numbers in this document, unless required by law. \_\_\_\_\_ Brandon M. Fulk