

WARRANTY DEED

Project: 5954.002
Cumberland Ave
Parcel: 34
Key No. 164-05200-0101
State ID No. 79-07-07-126-001.000-026

THIS INDENTURE WITNESSETH, That **TRILOGY REAL ESTATE INDIANA II, LLC**, a Kentucky limited liability company, the Grantor, **CONVEYS AND WARRANTS** to the **CITY OF WEST LAFAYETTE, INDIANA**, the Grantee, for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Tippecanoe, State of Indiana, and being more particularly described in the legal description attached hereto as Exhibits "A" and "B" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibits "C" and "D", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor hereby specifically acknowledges and agrees that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor, or any successors in title to the abutting lands of the Grantor, 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 acknowledgment and agreement is a covenant running with the land and shall be binding upon the Grantor and all successors and assigns.

The undersigned persons executing this deed represent and certify on behalf of the Grantor, that they are the managers of the company and have full authority to manage the affairs of the Grantor and sign and execute documents on its behalf, and that their authority has not been revoked; that they are, therefore, fully authorized and empowered to convey to the City of West Lafayette, Indiana, the real estate of the Grantor and to execute all necessary instruments in connection therewith.

EXHIBIT "A"

A part of Property described as Instrument Number 200909005229 as recorded in the Office of the Tippecanoe County Recorder located in the Northwest Quarter of Section 7, Township 23 North, Range 4 West, City of West Lafayette, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at the Northeast Corner of said Northwest Quarter; thence North 88 degrees 55 minutes 37 seconds West along the North Line of said Northwest Quarter a distance of 625.01 feet the northeast corner of said property and the Point of Beginning; thence South 01 degrees 04 minutes 23 seconds West along the East Line of said property a distance of 71.15 feet; thence North 88 degrees 55 minutes 37 seconds West parallel with the north line of said Northwest Quarter a distance of 102.65 feet; thence North 73 degrees 44 minutes 08 seconds West a distance of 42.56 feet; thence North 88 degrees 55 minutes 37 seconds West parallel with said north line a distance of 403.52 feet; thence South 01 degrees 04 minutes 23 seconds West a distance of 1.64 feet; thence South 87 degrees 23 minutes 19 seconds West a distance of 26.72 feet; thence South 53 degrees 04 minutes 15 seconds West a distance of 50.13 feet; thence South 00 degrees 09 minutes 25 seconds East a distance of 45.00 feet; thence South 89 degrees 50 minutes 35 seconds West a distance of 9.67 feet to the west line of said property; thence North 00 degrees 06 minutes 37 seconds West along said west line a distance of 139.45 feet to the north line of said Northwest Quarter; thence South 88 degrees 55 minutes 37 seconds East along said north line a distance of 625.00 feet to the Point of Beginning, containing 0.928 acres of land, more or less, inclusive of the existing right-of-way which contains 0.614 acres of land, more or less for a total net additional taking of 0.314 acres of land, more or less.

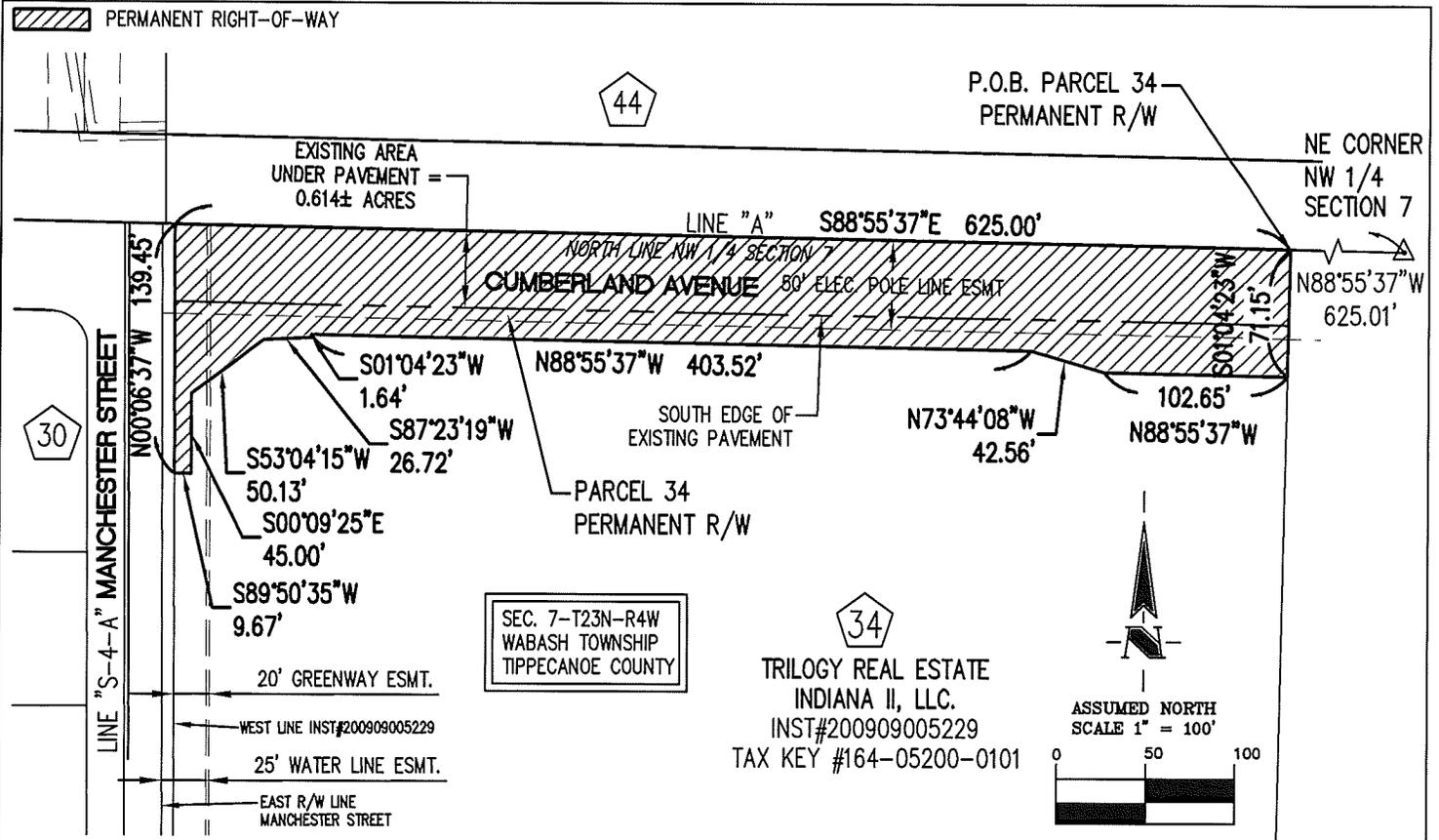
Note: The land description shown hereon is based on the Cumberland Avenue Phase 2 Route Survey for the City of West Lafayette dated January 19, 2010 and recorded at Instrument Number 201111004572 in the Office of the Tippecanoe County Recorder.

EXHIBIT "B"

A part of the Northwest Quarter of Section 7, Township 23 North, Range 5 West, City of West Lafayette, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at the Northeast Corner of said Northwest Quarter; thence North 88 degrees 55 minutes 37 seconds West along the North Line of said Northwest Quarter a distance of 1250.01 feet to the northwest corner of the property described as Instrument Number 200909005229 as recorded in the Office of the Tippecanoe County Recorder and the Point of Beginning; thence South 00 degrees 06 minutes 37 seconds East along the west line of said property a distance of 139.45 feet; thence South 89 degrees 50 minutes 35 seconds West a distance of 6.86 feet to the East Right-of-Way Line of Manchester Street per the plat of Plaza Park Subdivision Part 3 as recorded in Plat Book A at Page 146; thence North 00 degrees 12 minutes 07 seconds West along said East Right-of-Way Line a distance of 139.61 feet to the north line of said Northwest Quarter; thence South 88 degrees 55 minutes 37 seconds East along said north line a distance of 7.08 feet to the Point of Beginning, containing 0.022 acres of land, more or less, inclusive of the existing right-of-way which contains 0.007 acres of land, more or less for a total net additional taking of 0.015 acres of land, more or less.

Note: The land description shown hereon is based on the Cumberland Avenue Phase 2 Route Survey for the City of West Lafayette dated January 19, 2010 and recorded at Instrument Number 201111004572 in the Office of the Tippecanoe County Recorder.



Parcel 34 Permanent Right-of-Way Description

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Richard G. Rayback

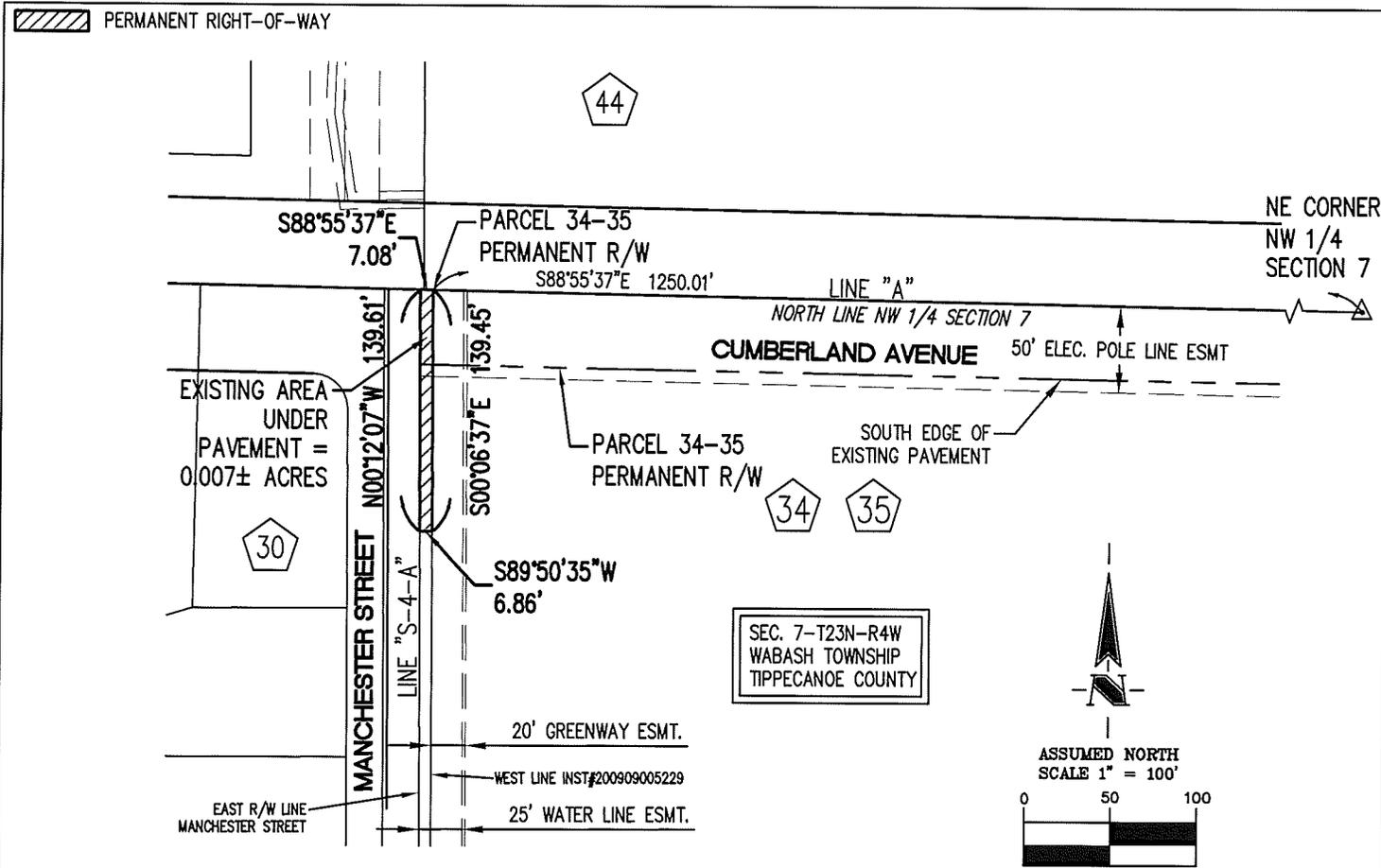
Richard G. Rayback
Registered Land Surveyor No. 870015
March 17, 2011

Historic Fort Harrison
8901 Otis Avenue
Indianapolis, Indiana 46216-1037
317-826-7100
317-826-7110 FAX

Note: The land description shown hereon is based on the Cumberland Avenue Phase 2 Route Survey for the City of West Lafayette dated January 19, 2010 and recorded at Instrument Number 201111004572 in the Office of the Tippecanoe County Recorder.

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Parcel 34-35 Permanent Right-of-Way Description

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March 21, 2011

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