

TEMPORARY GRANT OF EASEMENT

Project: 5954.002
Cumberland Ave
Parcel: 35
Key No. 168-05200-0156
State ID No. 79-07-07-126-003.000-026

THIS INDENTURE WITNESSETH, That **WESTMINSTER VILLAGE WEST LAFAYETTE, INC.**, an Indiana non-profit corporation, the Grantor, GRANTS to the **CITY OF WEST LAFAYETTE, INDIANA**, the Grantee, for and in consideration of the sum of One Hundred Seventy Seven and 50/100 Dollars (\$177.50) (of which said sum \$0.00 represents land improvements acquired and \$177.50 represents land temporarily encumbered and damages) and other valuable consideration, the receipt of which is hereby acknowledged, a temporary easement to enter upon and have possession of the Real Estate of the Grantor for the purpose of Drive Construction and Grading, which said work is incidental to the construction of the road facility known as Cumberland Avenue and as Project 5954.002, which said Real Estate is situated in the City of West Lafayette, State of Indiana, and which is more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Temporary Right of Way Parcel Plat attached hereto as Exhibit "B", which exhibits are incorporated herein by reference. Said temporary easement shall be extinguished, become void and revert to the Grantor and/or the Grantor's successor(s) in title upon completion of the said Project. The said extinguishment shall be evidenced by a release document which shall be executed and recorded by the Grantee at no cost to the Grantor.

Any and all timber, shrubbery, fences, buildings and any other improvements situated within the area of the temporary easement granted herein shall become the property of the City of West Lafayette, Indiana, except: N/A

The Grantor acknowledges that all provisions of this grant of temporary easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

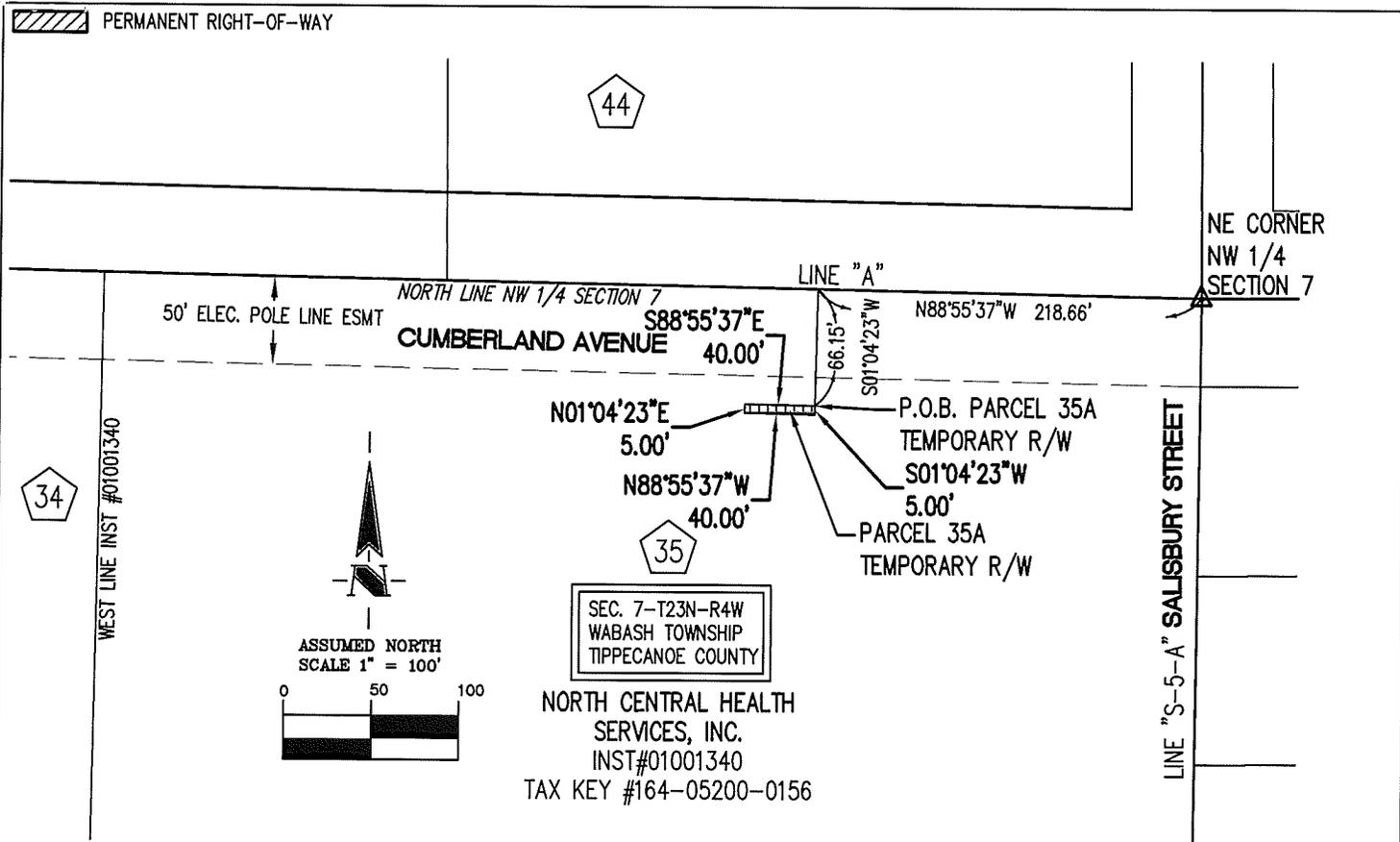
This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the Grantor, for the purpose of inducing the City of West Lafayette, Indiana, to accept this grant and to pay the hereinbefore referenced consideration, represents that the Grantor is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens

EXHIBIT "A"

A part of Property described as Instrument Number 01001340 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 218.66 feet; thence South 01 degrees 04 minutes 23 seconds West a distance of 66.15 feet to the Point of Beginning; thence South 01 degrees 04 minutes 23 seconds West a distance of 5.00 feet; thence North 88 degrees 55 minutes 37 seconds West parallel to the North Line of said Northwest Quarter a distance of 40.00 feet; thence North 01 degrees 04 minutes 23 seconds East a distance of 5.00 feet; thence South 88 degrees 55 minutes 37 seconds East parallel to said North Line a distance of 40.00 feet to the Point of Beginning, containing 200 square feet 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 35A Temporary Right-of-Way Description

A part of Property described as Instrument Number 01001340 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:

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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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