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Charge + Ref: Milton Koch, Inc.
900 8 Indpls Blvd
Highland, Ind 46322

EXHIBIT "D-2"

R. 48609

Inv. 254534

E A S E M E N T

CHICAGO TITLE INSURANCE COMPANY
INDIANA DIVISION

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636232

WHEREAS, Grantor herein is the owner of certain premises described herein, which contains a retention pond, and,

WHEREAS, the Grantee is the owner of the adjacent real estate around said retention pond, and desires the use of said retention pond for the purposes of draining surface waters from the Grantee's property specified herein.

NOW THEREFORE, the undersigned, FIRST NATIONAL BANK OF VALPARAISO, INDIANA, as Trustee under the provisions of a Trust Agreement dated August 31, 1977, and known as Trust No. 2392, of Porter County, State of Indiana, herein called "Grantor" in consideration of the receipt of One Dollar (\$1.00) in hand paid to Grantor, and other valuable consideration the receipt of which is hereby acknowledged, hereby grants and warrants to LAKE COUNTY TRUST COMPANY, as Trustee under the provisions of a Trust Agreement dated June 15, 1972, and known as Trust No. 1823, of Lake County, Indiana, its successors and assigns, an easement in perpetuity to utilize as a retention pond for the drainage of surface water the following described real estate:

Part of the E 1/2 of the SE 1/4 of Section 17, T 35 N, R 8 W of the 2nd P.M., Lake County, Indiana, described as beginning at a point on the North line of said SE 1/4 lying 379.50 feet East of the Northwest corner of said E 1/2; thence East along said North line, 350.00 feet; thence S 00° 24' 04" E and parallel with the East line of said SE 1/4, 465.00 feet, thence West and parallel with said North line, 406.22 feet; thence N 00° 14' 58" W and parallel with said West line, 300.00 feet; thence East 55.00 feet; thence N 00° 14' 58" W, 165.00 feet to the point of beginning, containing 4.11 acres, more or less.

This easement is specifically limited to Grantor's utilization of same for servicing of any of the Grantor's real estate lying within the following described parcel:

The North 1600 feet of the East 1/2 of the Southeast 1/4 of Section 17, Township 35 North, Range 8 West of the 2nd Principal Meridian, all in Lake County, Indiana.

Grantee acknowledges by acceptance of this easement that it shall utilize the retention pond as mentioned herein all subject to the approval of the appropriate governmental authorities.

In the event any portion of the East half of the afore-described North 1600 feet is improved and the easement granted herein utilized by connecting into the drainage system or retention pond, the Grantee covenants and agrees to contribute twenty-five (25%) percent of all maintenance and repair expenses of the retention pond.

In the event any portion of the West half of the afore-described North 1600 feet is improved and the easement granted herein utilized by connecting into the drainage system or retention pond, the Grantee covenants and agrees to contribute equally with the Grantor for all maintenance and repair expenses of the retention pond.

The easement hereby granted, the restrictions hereby imposed, and the agreements herein contained shall be easements, restrictions and covenants running with the land and shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, successors and assigns, including but without limitation all subsequent owners of said real estate and all persons claiming under them.

FILED

JUL 13 1981

Lucie D. Trust
AUDITOR LAKE COUNTY

STATE OF INDIANA
LAKE COUNTY
OFFICE FOR RECORDS
JUL 14 9 27 AM '81
WILLIAM H. BELMONT
RECORDER

jc
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