

Eileen V. Shults
104 E. Clark St.
Crown Point, IND. 46307

AGREEMENT FOR PERMANENT AND TEMPORARY
EASEMENTS FOR SANITARY SEWERS AND CONSTRUCTION

874025

KNOW ALL MEN BY THESE PRESENTS, that The Commercial Bank of Crown Point, as Trustee in Trust No. 085, ("Grantor"), of Lake County, Indiana, for valuable consideration, does hereby grant unto the CITY OF CROWN POINT, INDIANA, ("Grantee"), a permanent right-of-way and easement to lay, install, use, maintain, inspect and repair a sanitary sewer together with manholes and all other necessary equipment or fixtures used in connection with said sanitary sewer over and across the following-described real estate located in Lake County, Indiana, to-wit: K. 9-88-11 K. 9-309

Part of the NE 1/4 of Section 5, Township 34 North, Range 8 West of the 2nd P.M., more particularly described as:

The West 20 feet of the East fifty feet of Lots 4, 5, 12 and 13 of Smith's Addition of Outlots to the City of Crown Point as shown in Miscellaneous Record "A" Page 290, in Lake County, Indiana; except the West 20 feet of the East 50 feet of the parcel described as commencing at a point on the East line of the NE 1/4 of said Section 5 and said Lot 13 which is 579.84 feet South of the Northeast corner of the NE 1/4 of said Section 5; thence N. 89° 51' W., at right angles, 30 feet to a point of curve; thence Southwesterly along a curve to the left with a radius of 1314.58 feet a distance of 199.61 feet to a point of tangent; thence South 81° 27' 00" West a distance of 434.71 feet to a point on the West line of said lot 13 and 55.42 feet North of the Southwest corner thereof; thence South 00° 07' 45" West along the West line of said Lots 13, 12 and 5 a distance of 741.47 feet to a point 25.93 feet South of the Northwest corner of said Lot 5; thence North 81° 27' 00" East 665.95 feet to a point on the East line of said Section 5 and 80.17 feet North of the Southeast corner Lot 12 of Smith's addition of outlots; and except the West 20 feet of the parcel described as beginning on the East line of the NE 1/4 of said Section 5 at a point 7.6 feet North of the Northeast corner of Lot 5 of Smith's Addition of Outlots, and 1327.48 feet North of the SE Corner of the NE 1/4 of said Section 5 on the North line of NIPSCO R/W thence N 89° 32' W, 50 feet; thence South parallel to the East line of the NE 1/4 of said Section 5, 125 feet; thence S. 89° 32'E., on the South line of NIPSCO R/W, 50 feet; thence North along the East line of the Northeast 1/4 of said Section 5 to the point of beginning.

The permanent easement described above is granted for the purpose of enabling said Grantee to construct, keep and maintain a sanitary sewer for its sewage system; and said sanitary sewer and all other necessary equipment and fixtures in connection therewith shall at all times be subject to the control, rules and regulations

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AUDITOR LAKE COUNTY

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of the City of Crown Point, Indiana, as the sole property of said Grantee, and shall at all times be and remain accessible to said Grantee, its employees, and agents.

This Grant of Easement by Grantor is made upon the following conditions: (a) that the Grantor and its trust beneficiaries, and all successors in interest to the land held in trust for such beneficiaries shall have right to use and access to the sanitary sewer constructed and installed by the Grantee; (b) the right of use shall be limited to disposition of sanitary sewage of a type and form ordinarily accepted by the City of Crown Point within its sanitary sewage disposal system; (c) the land entitled to the benefit of this Agreement shall be that land presently held by the Grantor bounded by Summit Street, the Merrillville Road, and Indiana Avenue; (d) entry into the sanitary sewer shall be made at such places as may be designated by the Grantee along the route of the sanitary sewer; and (e) the Grantor shall pay ordinary and usual administrative tap-in fees for entry to the sanitary sewer, according to City ordinances in effect at the time entry is made.

The Grantor acknowledges that Grantee has completed its work of installation and has restored the surface of the Grantor's land and has repaired damages caused by the installation of the said sanitary sewer.

This grant shall bind the heirs, executors, administrators, grantees, assigns and successors-in-interest by any name of the respective parties.

IN WITNESS WHEREOF, said Grantor has duly executed this instrument at Crown Point, Indiana, on the 21ST day of AUGUST, 1986.

THE COMMERCIAL BANK OF CROWN
POINT as Trustee in Trust No. 085

By: Thomas A. Trainor
Thomas A. Trainor, Trust Officer

