

5265 Holman Ave., Hammond 46320-1775

EASEMENT FOR UNDERGROUND ELECTRICAL LINES, COMMUNICATION LINES, AND GAS MAINS

E 38 107

KNOW ALL MEN, that Barney J. Swinford and Kathleen J. Swinford, Husband and Wife
and Robert J. Wojcik and June D. Wojcik, Husband and Wife

herein called "Grantor", in consideration of the sum of one dollar (\$1.00) and other valuable considerations, in hand paid to the Grantor, hereby grant to NORTHERN INDIANA PUBLIC SERVICE COMPANY, an Indiana corporation, and to Indiana Bell Telephone Company, a corporation, herein together called "Grantee", and to their successors and assigns, an easement, right and authority, from time to time, to install, construct, maintain, operate, repair, replace, renew and remove: (a) underground ducts and conduits; (b) underground wires, cables, conductors, manholes and other necessary appurtenances, in such underground ducts and conduits; (c) pads for transformers, with transformers located thereon; (d) markers and test terminals, where reasonably necessary in the sole judgment and discretion of Grantee herein together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, for the purposes herein described, including the right of ingress and egress to and from the strip of easement land, over adjoining lands of Grantor, and the right to trim, or at Grantee's option, to cut down and remove from the premises hereinafter described and from the adjoining lands of Grantor any trees or undergrowth, which may, in the sole judgment of Grantee, endanger the safety of, or interfere with the use or enjoyment of, any of Grantee's facilities arising from the growth of trees or underground root system including the right to clear and keep cleared such obstructions from the surface and subsurface as may be necessary for the installation and maintenance of such facilities, and to operate by means thereof one or more line or lines for the transmission, distribution and delivery of electrical energy and for the transmission, distribution and delivery of telephone communications to the public in general, to be used for light, heat, power, telephone and other purposes, and to lay, install, maintain, operate, repair, replace and renew gas mains and a line or lines of pipe, and additional gas mains and lines of pipe from time to time for the transportation and distribution of gas to the public in general, with all necessary and convenient equipment, facilities, service pipes, lines and connections therefor and to operate by means thereof a system for such transportation and distribution of gas to be used for light, heat, power, and other purposes in upon, along and over a strip of land or right of way situated in Section 29 Township 36N, Range 9W of the Second Principal Meridian, in the County of Lake, State of Indiana, describes as follows:

95058029

The west 12 feet of the east 70 feet, the south 12 feet of the north 120 feet, and the north 12 feet of the east 58 feet of lot 1 in the Swinford and Wojcik 4th addition to the town of Highland as shown in plat back 77, page 45 in Lake County, Indiana



This Document is the property of the Lake County Recorder!

MARGARET C. ENGLAND
RECORDER

95 SEP 27 AM 8:34

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

Any underground facilities of the Grantee shall be at least 24 inches below the surface of the soil, as the surface now exists.

The Grantor reserves the use of the above described land not inconsistent with this grant, but no buildings or structures shall be placed on the right of way by Grantor.

The Grantee shall and will indemnify and save the Grantor harmless from and against any and all damage, injuries, losses, claims, demands or costs proximately caused by the fault, culpability, or negligence of the Grantee in the construction, erection, maintenance, operation, repair or renewal of said line or lines, cables, underground ducts or conduits, pads for transformers and transformers thereon, markers and test terminals, gas mains and pipes and structures and appurtenances connected therewith.

The undersigned Grantor hereby covenants to be the owner in fee simple of said real estate, lawfully seized thereof, with good right to grant and convey said easement herein, and guarantee the quiet possession thereof, that the said real estate is free from all encumbrances, and that the Grantor will warrant and defend the title to the said easement against all lawful claims.

These presents shall be inure to the benefit of and be binding upon the Grantor and successors and assigns of the Grantor, and upon the Grantee, their successors and assigns.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 13th day of September, 1995.

Barney J. Swinford (SEAL)
Kathleen J. Swinford (SEAL)
Robert J. Wojcik (SEAL)

Barney J. Swinford
Kathleen J. Swinford
Robert J. Wojcik
June D. Wojcik

Robert J. Wojcik (SEAL)
June D. Wojcik (SEAL)

This instrument was prepared by John R. Henry

001349

10/11

STATE OF INDIANA)
) SS:
COUNTY OF Lake)

Personally appeared before me the undersigned, a Notary Public in and for said county and state Robert J Wojcik June D. Wojcik, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this 13th day of September 19 95.

[Signature]
Notary Public
Civoy M. Crook
A Resident of Lake County

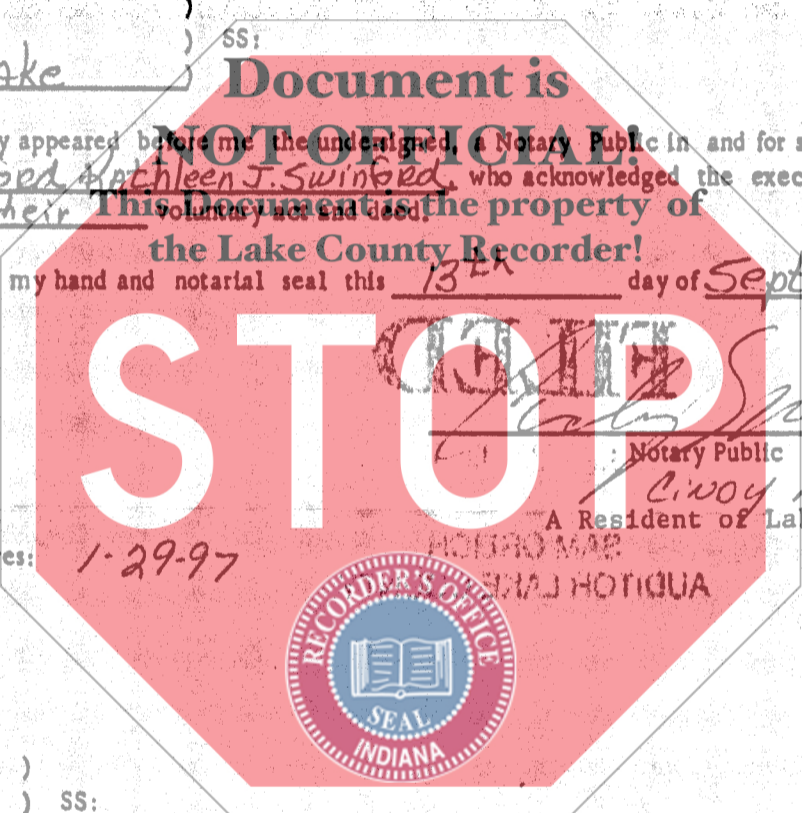


My Commission expires: 1-29-97

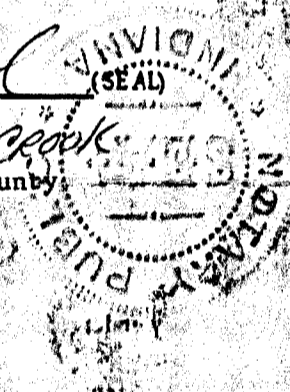
STATE OF INDIANA)
) SS:
COUNTY OF Lake)

Personally appeared before me the undersigned, a Notary Public in and for said county and state Barney J. Swinford Kathleen J. Swinford, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this 13th day of September 19 95.



[Signature]
Notary Public
Civoy M. Crook
A Resident of Lake County



My Commission expires: 1-29-97

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

TO BE REMEMBERED that on this _____ day of _____, 19 _____, before me, a Notary Public in and for the County and State aforesaid, personally appeared _____, and _____, of _____ as aforesaid and said corporation, as the voluntary act and deed of said corporation and of said officials for said corporation for the uses and purposes set forth,

WITNESS my hand and notarial seal the day and year first above written.

Notary Public (SEAL)

My Commission expires:

Checked By John R. Henry
Date September 13, 1995
District Hammond
Contract File No. 38107
Charge Acct. No. 41264-1

9-20-95