

STATE OF INDIANA  
LAKE COUNTY Offices of  
FILED FOR RECORD Phyllis J. Senegal  
95 NOV 22 AM 9:18 Broadway  
MARGARETTE CLEVELAND Side 707  
RECORDER NBD BLDG.  
Gary In. 46402  
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RESOLUTION NO. 969  
"Transferring Air Property Rights  
to Gary Regional Airport Authority District"

WHEREAS, Gary Sanitary District Board of Commissioners, Lake County, Indiana, is the record owner in fee simple of certain property located in Lake County, Indiana; and,

WHEREAS, the Gary Regional Airport Authority has need of aviation easement rights over said property, and

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WHEREAS, the Gary Sanitary District Board of Commissioners, Lake County, Indiana, is desirous of providing said rights; and

WHEREAS, I.C. 36-1-11-8 permits the transfer of property rights between governmental entities by adoption of substantially identical resolutions; and

WHEREAS, it is in the public interest so to do;

NOW, THEREFORE, BE IT RESOLVED by the Gary Sanitary District Board of Commissioners that:

1. The Gary Sanitary District Board of Commissioners, Lake County, Indiana warrants that it is the title holder to Parcels CA-6-2, situated in the County of Lake, State of Indiana and described and delineated on the Exhibit "A" attached hereto and made a part hereof. The legal description of the parcel is as follows:

**FILED**

NOV 21 1995

SAM ORLICH  
AUDITOR LAKE COUNTY

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A part of the Gary Land Company's Fourteenth Subdivision (Plat Book 21, page 57, Office of the Recorder, Lake County, Indiana) described as follows: Beginning at the intersection of the easterly line of U.S. Highway 12 with the southerly line of the Indiana East - West Toll Road; thence North 73 degrees 20 minutes 05 seconds East along said southerly line 620.39 feet; thence South 30 degrees 00 minutes 00 seconds West 792.73 feet to the aforesaid easterly line of U.S. 12; thence North 21 degrees 16 minutes 05 seconds West 545.78 feet to the point of beginning, containing 3.874 acres, more or less.

2. Perpetual and assignable easement rights be granted unto the Gary Regional Airport Authority over Parcels CA-6-2 which legal descriptions for said parcels are stated above.

3. The Gary Sanitary District agrees that they, their heirs, successor and assigns shall not hereafter erect, or permit the erection of any structure, or growth of any tree or other object higher than the elevation of the approach surface or transitional surface. The approach surface is a trapezoidal inclined plane with a slope of 50 to 1 which begins 200 feet from the existing end of Runway 30, and the transitional surface extends outward and upward at right angles to the runway centerline with a slope of 7 to 1 from the sides of the primary surface. The inclined plane is shown on the Exhibit "A" attached hereto which also designates the outer points of Parcel CA-6-2. These identified points have the following mean sea level (MSL) elevation restrictions: Point "A," an elevation of 634.7 ft MSL; Point "B," an elevation of 643.1 ft MSL; Point "C," an elevation of 728.7 ft MSL; Point "D," an elevation of 757.9 ft MSL; Point "E," an elevation of 641.9 ft MSL.

4. The rights and easements hereby granted unto the Gary Regional Airport Authority shall include, but not be limited to:

- a) The right of flight for passage of aircraft in the airspace above Parcels CA-6-2, together with the right to cause in said airspace such noise and such incidence of flight as may be inherent in the operation of aircraft, now known of, or hereafter used for navigation or of flight in air, using said airspace taking off from, landing at or operating on Gary Regional Airport, all of which shall be for the use and benefit of the Public;
- b) The continuing and perpetual right to cut to a specified level and remove trees, bushes, shrubs, or any other perennial growth or undergrowth extending into, or which in the future could infringe upon or extend above 633 feet MSL on Parcel CA-6-2. The Gary Sanitary District Board of Commissioners, Lake County, Indiana shall have the option, within thirty (30) days of notification by the Gary Regional Airport Authority, of cutting



natural foliage to the specific level. Cost of cutting foliage to the specific level shall be borne by the Gary Regional Airport Authority only if approved beforehand. If the Gary Sanitary District Board of Commissioners, Lake County, Indiana does not comply with the Gary Regional Airport Authority's notification within thirty (30) days, the Gary Regional Airport Authority may enter the property to cut and remove such growth;

c) The right to mark and light as obstructions to air navigation, any and all structures, trees or other objects that may at any time project or extend above said surfaces; and,

d) The right in ingress to and ingress from, and passage over Parcel CA-6-2 for the above purposes;

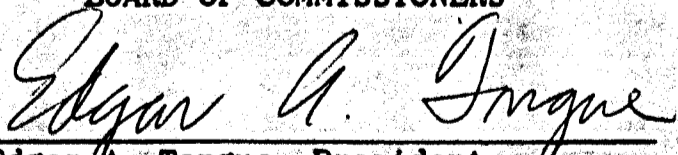
5. Gary Regional Airport Authority, its successors and assigns shall have and hold said easements and all rights appertaining thereto until said Gary Regional Airport shall be abandoned and shall cease to be used for public airport purposes;

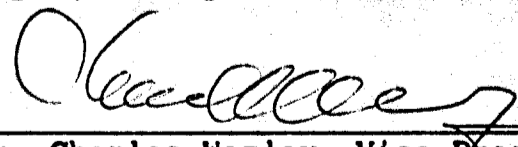
6. The covenants and agreements contained herein shall run with the land and shall be binding upon the heirs, administrators, executors, successors and assigns of the Gary Sanitary District Board of Commissioners, Lake County, Indiana;

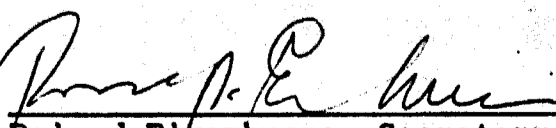
7. The transfer of rights and easements effectuated by this Resolution shall be made for, and in consideration of One and 00/100 Dollars (\$1.00) and other good and valuable consideration, by the Gary Regional Airport Authority to the Gary Sanitary District Board of Commissioners, Lake County, Indiana, the receipt and sufficiency of which is hereby acknowledged.

ADOPTED this 28th day of January, 1992.

GARY SANITARY DISTRICT  
BOARD OF COMMISSIONERS

  
Edgar A. Tongue, President

  
Dr. Charles Wesley, Vice-President

  
Roland Elvambuena, Secretary

/rm  
[wp.a:board]



# GARY REGIONAL AIRPORT

CA-6-2

Beginning at the intersection of the easterly line of U.S. Highway 12 with the southerly line of the Indiana East-West Toll Road; thence North 73 degrees 20 minutes 05 seconds East along said southerly line 620.39 feet; thence South 30 degrees 30 minutes 00 seconds East 792.93 feet to the aforesaid easterly line of U.S. 12; thence North 2 degrees 16 minutes 05 seconds West 545.78 feet to the point of beginning, containing 3.874 acres, more or less.

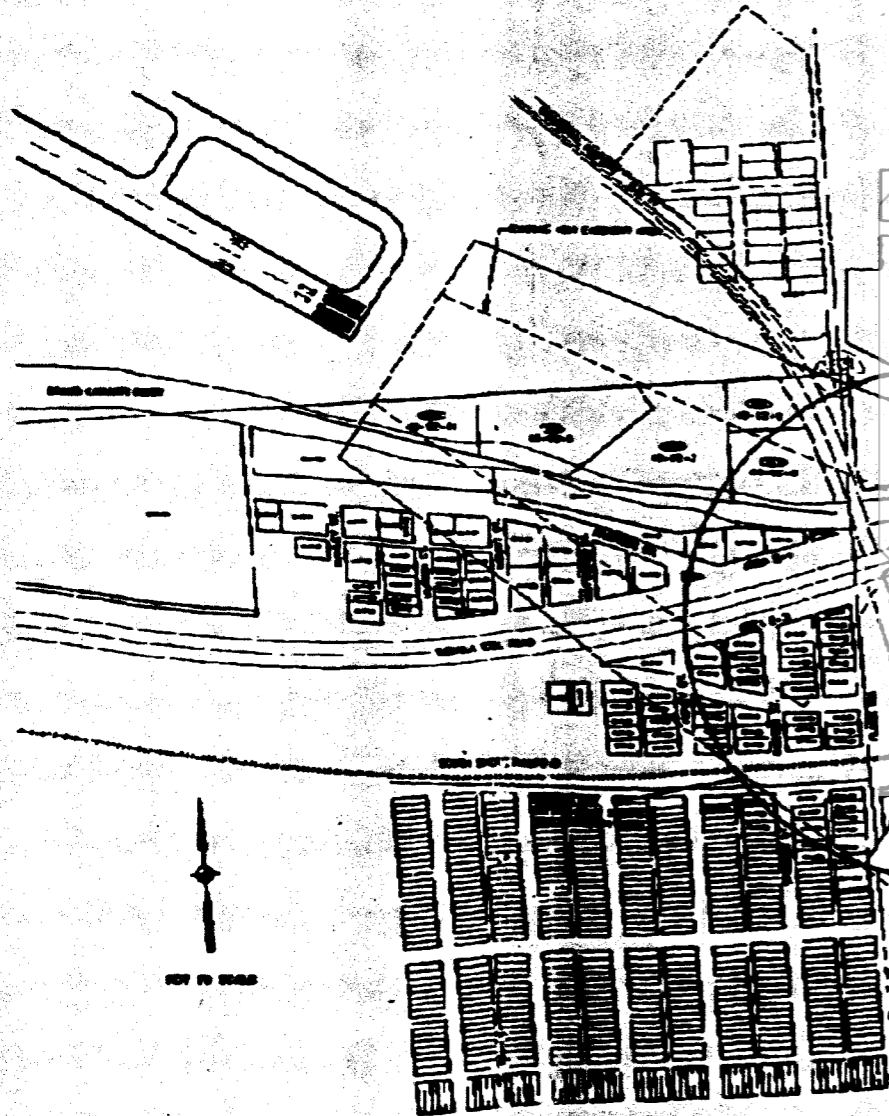
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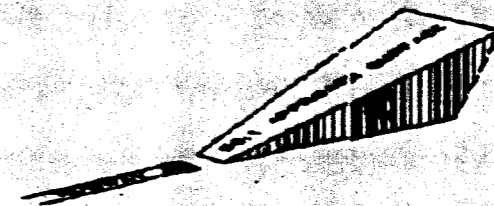
# STOP



CA-6-2



**RUNWAY PROTECTION ZONE**



**EXHIBIT "A"**

DATE: JULY 1, 1981  
REVISOR: SEPTEMBER 1, 1981

P. 373

10-00011 K. W. HINDS/10/11/81

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