

SANDY
COMMISSIONER
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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

96 FEB 14 PM 12:38

MARGARITE CLEVELAND
RECORDER

4

DEDICATION FOR HIGHWAY

THIS INDENTURE WITNESSETH that the Grantor, Northern Indiana Public Service Company, an Indiana corporation, authorized to transact business in the State of Indiana, in consideration of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, hereby dedicates for public use as a highway in the County of Lake, Indiana, a non-exclusive easement in, on, upon, along, and over the real estate owned by the Grantor in for simple, described as follows:

See Exhibit A attached hereto, known as Parcel No. 4 for the improvement of 213th Street over Dyer Ditch, Bridge Number 270, as prepared by Douglas K. Herendeen, R.L.S., dated July 3, 1995

NOT-TAXABLE

FEB 14 1996

**SAM ORLICH
AUDITOR LAKE COUNTY**

This dedication is solely for highway purposes and is subject to the following conditions and restrictions:

- (a) In the event that a highway is not constructed over the premises herein described within three years from the date hereof, or in the event that said premises are abandoned as a highway or cease to be used for such purpose, then and in any of said events the dedication herein shall be and become automatically terminated and the Grantor may re-enter upon said premises and repossess the same as if this dedication has not been executed.
- (b) The said highway shall be constructed in such manner as not to cause water therefrom to drain upon the adjoining property of Grantor, or prevent the natural drainage of Grantor's adjoining property.
- (c) Grantee shall promptly reimburse Grantor for any costs or expense incurred by Grantor in the protection, alteration, or relocation of its utility facilities located on or near said property which must, in the judgment of Grantor, be relocated, altered or protected because of the construction of said highway by Grantee.
- (d) Grantor expressly reserves to itself and to its successors, grantees and assigns full access at all times from its adjoining property to the highway or street as actually constructed.

N/C

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(e) Grantor hereby expressly reserves to itself and to its successors and assigns the right to construct, install, maintain, repair and remove any underground or overhead facilities of any nature whatsoever along, through, over or under the premises herein described, it being understood and agreed that any such installation shall be constructed and maintained in conformance with the laws of the State of Indiana and the rules and regulations of any governmental authority having jurisdiction of said street or highway located thereon.

(f) Said grant is subject to the rights of any parties arising under any easement, license or agreement, whether recorded or unrecorded, and to the use and maintenance of any underground or overhead facility now laid out or constructed on, under, along or through the premises herein described.


(g) It is understood by and between the parties hereto that the grantor presently has and may from time to time in the future install additional utility facilities above and below the surface of the above described real estate and in the event the grantee, or any one acting under grantee's permission or authority, shall construct any sewers, water mains or any other appurtenances above or below the surface of said real estate then all such facilities shall be constructed in accordance with the laws, codes or regulations pertaining thereto; particularly in connection with the separation or clearance between grantor's existing facilities and any such new facilities to be constructed.

IN WITNESS WHEREOF, Northern Indiana Public Service Company has caused this instrument to be executed in its corporate name by its Vice President and the corporate seal to be hereunto affixed and to be attested by its Secretary this 9th day of ~~JANUARY~~ ^{FEBRUARY}, 1996.

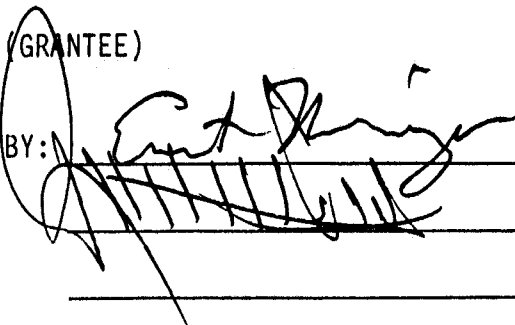
NORTHERN INDIANA PUBLIC SERVICE COMPANY

BY:  Vice President
DAVID A. KELLY

ATTEST:


NINA M. RAUSCH Secretary

Accepted this _____ day of _____, _____,

(GRANTEE)
BY: 

STATE OF INDIANA)
COUNTY OF LAKE) SS:

BE IT REMEMBERED that on this 9th day of FEBRUARY, 1976,

before me, a notary public in and for the county and state aforesaid, personally appeared DAVID A. KELLY, Vice President, and NINA M. RAUSCH, Secretary, respectively, of Northern Indiana Public Service Company and each acknowledged the voluntary act and deed of said corporation and of said officials for said corporation, for the uses and purposes therein set forth.

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

[Signature]
Notary Public

A Resident of _____ County, Indiana

BRUCE C. THOMPSON
NOTARY PUBLIC STATE OF INDIANA
LAKE COUNTY
MY COMMISSION EXP. OCT. 17, 1997

My Commission Expires:

STATE OF INDIANA)
COUNTY OF _____) SS:

BE IT REMEMBERED that on this 13 day of February 96, before me, a notary public in and for the county and state aforesaid, personally appeared RUDOLF CLAY, ERNEST NIEMEYER, being the _____, and each acknowledged the execution of the above and foregoing instrument on behalf of said _____ as the voluntary act and deed of said _____ and of said _____ for said _____, for the uses and purposes therein set forth.

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

[Signature]
Notary Public

A Resident of Lake County, Indiana

My Commission Expires:
10-6-98

SANDRA RADOJA
NOTARY PUBLIC STATE OF INDIANA
LAKE COUNTY
MY COMMISSION EXP. OCT. 6, 1998

Public Right of Way Grants
5520 Document Name - Dedication/Highway

EXHIBIT A

Dedication for Highway dated

FEBRUARY 9, 1996

PARCEL No. 4

PERMANENT RIGHT OF WAY
AIMEE P. RUGE, TRUSTEE

split from Key #14-100-40

For the improvement of 213th Street over Dyer Ditch, Bridge Number 270; Parcel 4, the following described real estate to wit:

A part of the Northeast Quarter of Section 7, Township 35 North, Range 9 West, Lake County, Indiana, and being a part of the land of or formerly owned by Aimee P. Ruge, Trustee of the Aimee P. Ruge Revocable Trust sated September 9, 1977 (Instrument No. 949953, dated 3/12/86 and recorded 12/16/87, Office of the Recorder) more particularly described as follows:

Beginning on the north line of said northeast quarter of Section 7, thence North 88 degrees 32 minutes 52 seconds West (assumed bearing) 949.99 feet from the northeast corner of said section, being the intersection of the north line of said northeast quarter of Section 7 and the centerline of Dyer Ditch, also being the northwest corner of the owner's land; thence South 88 degrees 32 minutes 52 seconds East 73.59 feet along said north line, being the north line of the owner's land; thence South 01 degrees 14 minutes 21 seconds West 35.00 feet; thence North 88 degrees 32 minutes 52 seconds West 46.56 feet to the centerline of said Dyer Ditch, being the west line of the owner's land; thence North 36 degrees 21 minutes 26 seconds West 44.30 feet, along the west line of the owner's land; to the point of beginning and containing 0.048 acres, more or less. The portion of the above-described real estate not already embraced within public rights of way contains 0.005 acres, more or less.

Given under my hand and seal this 3RD day of July, 1995.



Douglas K. Herendeen
Douglas K. Herendeen, L.S.
Registered Land Surveyor
State of Indiana, Surveyor No. S0468