# STATE OF INDIANA LAKE COUNTY FILED FOR RECEIEMENT

9708692 ROW ALL MEN BY THESE PRESENTS: That The Gary Board of Park

Commissioners having its main office and principal place of business in the City of Gary, Indiana, herein called the "Grantor", in consideration of the receipt of One Dollar (\$1.00) in hand paid to the Grantor, the receipt of which is hereby acknowledged, hereby grants and warrants as follows:

To Grantee, Northwest Indiana Water Company, an Indiana corporation, its successors and assigns, in perpetuity, the right at all times, and from time to time, to lay, construct, erect, install, maintain, operate, replace and renew, in, under, along, and across the strip of land owned by the Grantor, described as follows:

See Attached Exhibit "A"

water mains and a line or lines of pipe, together with all necessary and convenient service pipes, lines, connections, valves, hydrants, meters and appurtenances, including, but not limited to, any water mains and a line or lines of pipe, the service pipes, lines, connections, meters and appurtenances, which on the date hereof, are now or will be in place, and to operate by means thereof, a system for the transportation, distribution and delivery of water to the public in general.

The Grantor reserves the use of the above described strip of land not inconsistent with this grant, but no buildings or structures shall be erected or placed on said strip of land by Grantor, and no removal of earth over said water facilities which would result in less than approximately five (5) feet of cover on said water facilities shall be permitted.

Access to the above described strip of land over the adjoining lands of the Grantor and those claiming by, through or under it, where necessary, is hereby granted to the Grantee herein provided, however, that wherever said water mains, lines of pipe, etc., as hereinbefore described, are accessible from an adjoining public street or highway, the access shall be from such street or highway.

The Grantee, its successors and assigns and licensees may cut or trim any and all trees, shrubs, underbrush, bushes, saplings, and other similar growths, now or hereafter growing upon or extending over the easement herein granted, insofar as may be reasonably necessary, in the exercise by the Grantee, its successors and assigns and licensees, of any and all of the rights and authorities herein and hereby granted to said Grantee, its successors and assigns. The exercise of this right by the Grantee herein shall not establish in said Grantor, or any parties claiming by, through or under it, any right or claim for damages to said trees, shrubs, underbrush, bushes, lawns or gardens.

Full right and authority is hereby granted unto the Grantee, its successors and assigns, to assign, convey or set over, to another or others, the easement hereby granted.

The Grantor hereby warrants and covenants that it is the owner in fee simple of the above described strip of land and is lawfully seized thereof, and has good right to grant and convey said easement, and it does hereby guarantee and warrant that the said strip of land is free from all

MARK S. LUCAS 300 E. 9074 DR MERR. 46410

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liens and encumbrances, except current real estate taxes, and that it will warrant and defend the title to said easement against any and all lawful claims asserted by others than the parties hereto.

That the signing and delivery of this grant of easement by the officers of the Grantor whose signatures have been affixed hereto have been duly and properly authorized, approved and directed by appropriate corporate resolution of the Grantor herein.

These presents shall be binding upon the Grantor, its successors and assigns, and upon all parties claiming by, through or under it, and the same shall inure to the benefit of the Grantee herein, its successors and assigns.

IN W	TITNESS WHEREOF,			ument to be sign of <u>Necenla</u>	
GARY BOA	RDOF PARK COMMIS	SSIONERS			
ByGeorg	O ROGE ge Rogge, President				
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COUNTY O	<b>F</b>				
appeared Ge	re me, the undersigned, a orge Rogge, President o wledges the execution o	f the Gary Board	l of Park Comm	issioners, and a	such
Witn 1997.	ess my hand and Notaria	l Seal, affixed a	i, this <u>14th</u>	day of <u>Dicin</u>	The s
Albert Blook Little op Tell Skippen	e de la final de la filipa de la		By Juniterly	4 Traver	lung
			Notary P Resident of <u></u>	Take -	County
My Commis	sion Expires:				
april 2	4 1999				

Easement Prepared By: Lynn H. Coyne, JD University Director of Real Estate Indiana University 521 E. 4th Street Bloomington, IN 47405 F:\WPDOC\96-97\IUNESMT2.FCB

#### EXHIBIT "A"

## Land Technologies, Inc.

### CIVIL ENGINEERING & LAND SURVEYING

7325 Mallard Lane . Schererville, Indiana 46375

Office (219) 769-7728

Fax (219) 769-7731

### PROPOSED BASEMENT FOR WATERMAIN

PARCEL A (20' Easement along West side Jefferson St., North from 35th Ave.)

DESCRIPTION: A parcel of land lying in the Northeast Quarter of the Southeast Quarter of Section 21, Township 36 North, Rango 8 West of the Second Principal Meridian in the City of Gary, Lake County, Indiana, which parcel is bounded and described as follows: Commoncing at the point of Intersection of the South-line of sald-NE 1/4, SE 1/4, with the conterline of Jefferson St., which point lies 993.86 feet West of the Southeast corner of said NE 1/4, SE 1/4; thence running West, along the South line of said NE 1/4. SE 1/4, a distance of 17.0 feet to the true point of beginning hereof; thence North, at right angles from said South line and along the Westerly line of Jefferson St. (34.0' R/W), a distance of 19.0 feet to a point of curve in said Westerly RW line; thence Northerly, along said Westerly RW line, on a curve being langent to the last described line and having a radius of 1731.50 feet, an arc distance of 302.21 feet to a point of reverse curve in said Westerly RW line; thence continuing Northerly, along said Westerly R/W line, on a reverse curve being langent to the last described line and having a radius of 1183.26 feet, an arc distance of 568.80 feet; thence Westerly, on a line radial from the curved Westerly RW line of Jefferson St., a distance of 20.0 feet; thence Southerly, on a curve being parallel with the Westerly RW line of Jefferson St. and having a radius of 1163.26 feet, an arc distance of 559.19 feet to a point of reverse curve; thence Southerly, on a reverse curve being parallel with the Westerly RW line of Jefferson St., an arc distance of 305.70 feet; thence South, 19.0 feet to a point on the South line of the aforesaid NE 1/4. SE 1/4: thence East, along said South line, 20.0 feet to the point of beginning, excepting from the foregoing, the Southerly 40 feet thereof lying within the dodicated Right of Way of 35th Avenue.

Prepared by: John E. Bullock, R.L.S. Prepared for: The Bachman Partnership

Job. No:488-96

Date: October 22, 1996

