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KNOW 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

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MARK S. LUCAS 300 E. 90TH DR MERR. 46410

1600
cost

EXHIBIT "A"

Land Technologies, Inc.
CIVIL ENGINEERING & LAND SURVEYING
7325 Mallard Lane • Schererville, Indiana 46375

Office (219) 769-7728

Fax (219) 769-7731

PROPOSED EASEMENT 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, Range 8 West of the Second Principal Meridian in the City of Gary, Lake County, Indiana, which parcel is bounded and described as follows: Commencing at the point of intersection of the South line of said NE 1/4, SE 1/4, with the centerline 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 R/W line; thence Northerly, along said Westerly R/W line, on a curve being tangent 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 R/W line; thence continuing Northerly, along said Westerly R/W line, on a reverse curve being tangent 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 R/W line of Jefferson St., a distance of 20.0 feet; thence Southerly, on a curve being parallel with the Westerly R/W 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 R/W 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 10 feet thereof lying within the dedicated Right of Way of 35th Avenue.

Prepared by: John E. Dullock, R.L.S.
Prepared for: The Bachman Partnership
Job No: 488-96
Date: October 22, 1996

