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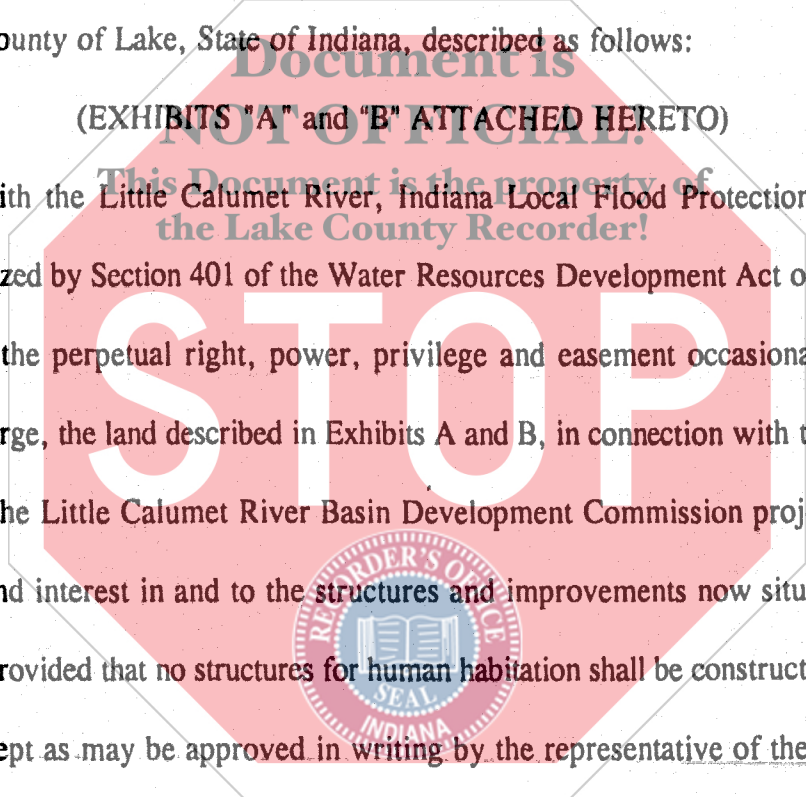
STATE OF INDIANA  
**FLOWAGE EASEMENT (Occasional Flooding)**

FILED FOR RECORD

98045611  
THE SCHOOL CITY OF GARY, Municipal Corporation, of the County of Lake, State of Indiana, hereinafter called "Grantor", hereby grants, transfers, conveys and warrants to the STATE OF INDIANA, LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION, hereinafter called "Grantee", for One Dollar and other Good and Valuable Consideration, the receipt and sufficiency of which is hereby acknowledged, an assignable flowage easement in, over and across the following described Real Estate owned by the "Grantor" and situated in the County of Lake, State of Indiana, described as follows:

(EXHIBITS "A" and "B" ATTACHED HERETO)

in connection with the Little Calumet River, Indiana Local Flood Protection and Recreation Project as authorized by Section 401 of the Water Resources Development Act of 1986 (P.L. 99-662), including the perpetual right, power, privilege and easement occasionally to overflow, flood, and submerge, the land described in Exhibits A and B, in connection with the operation and maintenance of the Little Calumet River Basin Development Commission project together with all right, title, and interest in and to the structures and improvements now situated on the land, except fencing; provided that no structures for human habitation shall be constructed or maintained on the land, except as may be approved in writing by the representative of the United States in charge of the project, and that no excavation shall be conducted and/or no landfill placed on the land without such approval as to the location and method of excavation and/or placement of landfill. In the event that the owner provides for the life of the project compensatory storage and/or pump stations to prevent any increase in the 10 year and 100 year interior flood elevations as defined by the Little Calumet River Indiana Local Flood Protection and Recreation Feature



**FILED**  
JUN 17 1998

SAM ORLICH  
AUDITOR LAKE COUNTY

001360  
Ch # 00383

DB  
CM

Design Memorandum 3, Interior Flood Control, East Reach, dated March 1991, to the subject lands and any adjoined properties as approved by the representative of the United States in charge of the project then this easement shall revert to the Owner. The above estate is taken subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; reserving however to the landowners, their heirs and assigns, all such rights and privileges as may be used and enjoyed without interfering with the use of the project for the purposes authorized by Congress or abridging the rights and easements hereby acquired; provided further that any use of the land shall be subject to Federal and State laws with respect to pollution.

Document is NOT OFFICIAL!

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IN WITNESS WHEREOF, the Parties have hereunto set their hands and seals

this 4<sup>th</sup> day of June, 1998.

THE SCHOOL CITY OF GARY

STATE OF INDIANA  
LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION

Josephine Brooks  
By: President



Robert Trelo  
By: Robert Trelo, Chairman

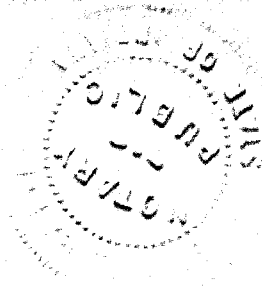
ATTEST:

ATTEST:

[Signature]  
Secretary

Dan Gardner  
Dan Gardner, Executive Director

STATE OF INDIANA )  
 )SS:  
COUNTY OF LAKE )



Before me, a Notary Public in and for said County and State, on this 2nd day of June, 1998, came Josephine Brooks and Michael D. Scott, Sr., the President and Secretary, respectively of the School City of Gary, and acknowledged the execution of the foregoing instrument.

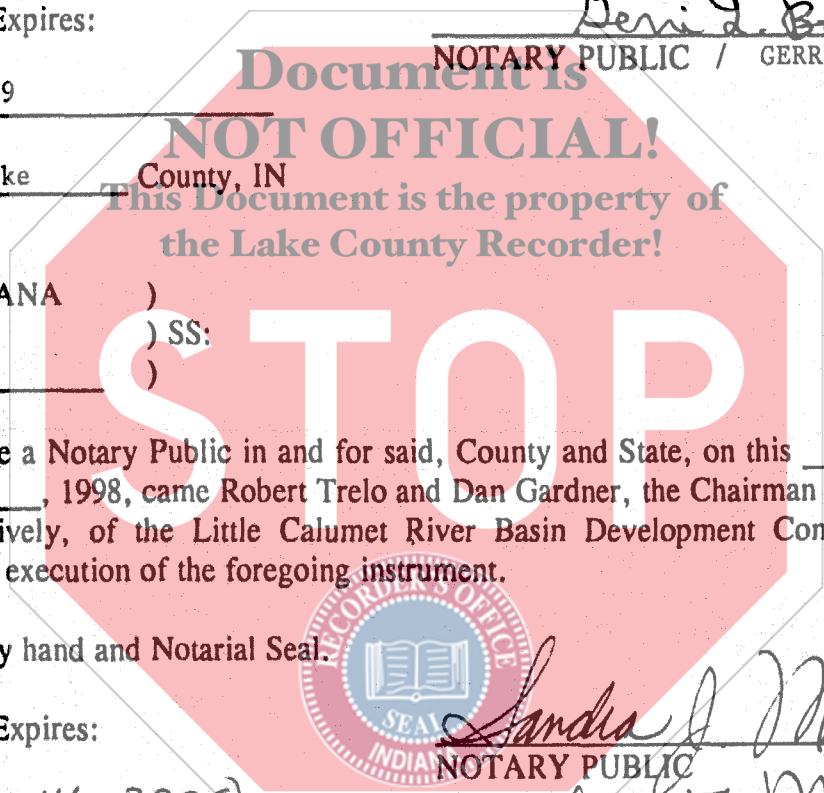
Witness my Hand and Notarial Seal.

My Commission Expires:

Geri L. Battle  
NOTARY PUBLIC / GERRI L. BATTLE

June 12, 1999

Resident of Lake County, IN



STATE OF INDIANA )  
 )SS:  
COUNTY OF \_\_\_\_\_ )

Before, me a Notary Public in and for said, County and State, on this 4th day of June, 1998, came Robert Trelo and Dan Gardner, the Chairman and Executive Director, respectively, of the Little Calumet River Basin Development Commission, and acknowledged the execution of the foregoing instrument.

Witness my hand and Notarial Seal.

My Commission Expires:

Sandra J. Mondus  
NOTARY PUBLIC  
Sandra J. Mondus

APRIL 14, 2000

Resident of Lake County, IN

This Instrument prepared by:

Louis M. Casale, Attorney  
8300 Mississippi Street, Suite E  
Merrillville, IN 46410

**PARCEL "A"**

**FLOWAGE EASEMENT**

A part of the E1/2 of the SW1/4 of Section 15 Township 36N Range 8W of the Second Principle Meridian, in the City of Gary, County of Lake, in the State of Indiana, more precisely described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of Section 15, T36N, R8W; thence North along the East line of the SW1/4 of Section 15, a distance of 1760.3' to the POINT OF BEGINNING;

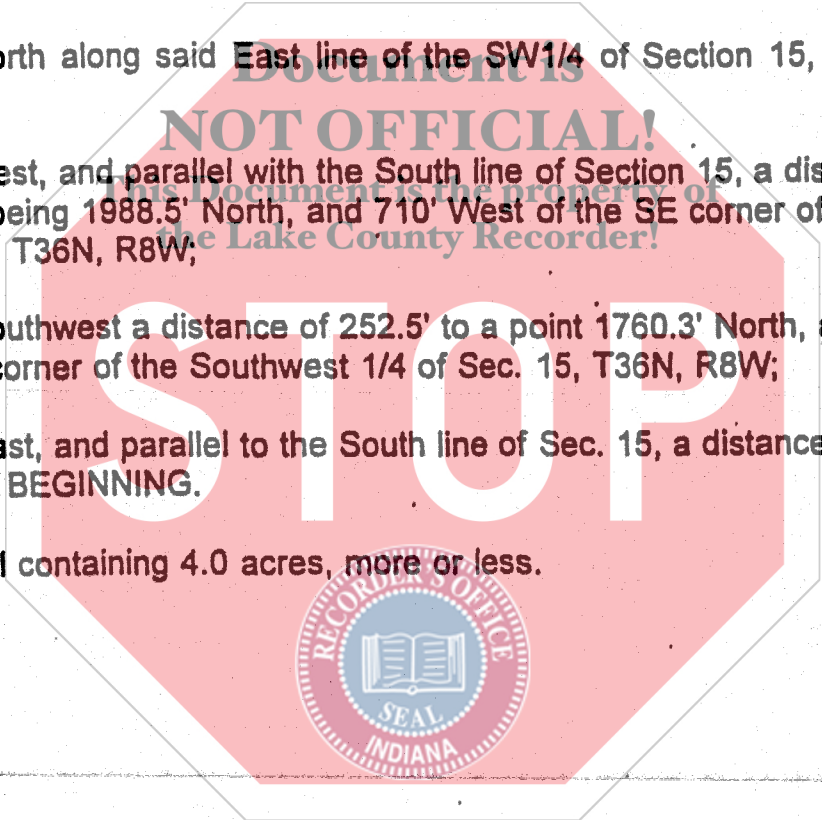
Thence, North along said East line of the SW1/4 of Section 15, a distance of 228.2';

Thence, West, and parallel with the South line of Section 15, a distance of 710', said point being 1988.5' North, and 710' West of the SE corner of the SW1/4 of Section 15, T36N, R8W;

Thence, Southwest a distance of 252.5' to a point 1760.3' North, and 818' West of the SE corner of the Southwest 1/4 of Sec. 15, T36N, R8W;

Thence, East, and parallel to the South line of Sec. 15, a distance of 818' to the POINT OF BEGINNING.

Said parcel containing 4.0 acres, more or less.



**PARCEL "B"**

**A part of the E1/2 of the SW1/4 of Section 15, Township 36N, Range 8W, of the Second Principle Meridian, in the city of Gary, county of Lake, in the State of Indiana, more precisely described as follows:**

**Commencing at the Southeast corner of the Southwest 1/4 of Section 15, T36N, R8W; thence, North along the East line of the SW1/4 of Section 15, a distance of 1328.5' to the POINT OF BEGINNING;**

**Thence, North along the East line of the SW1/4 of Section 15, a distance of 431.8';**

**Thence, West, and parallel with the South line of Section 15, a distance of 818', said point being 1760.3' North, and 818' West of the SE corner of the SW1/4 of Section 15, T36N, R8W;**

**Thence, Southwest a distance of 229.02' to a point 1574.7' North, and 956.25' West of the SE corner of the Southwest 1/4 of Section 15, T36N, R8W;**

**Thence, South, and parallel with the East line of the SW1/4 of Sec. 15, T36N, R8W, a distance of 246.2';**

**Thence, East, and parallel with the South line of Section 15, T36N, R8W, a distance of 956.25' to the POINT OF BEGINNING.**

**Said parcel containing 9.0 acres, more or less.**

