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SUBORDINATION OF SURFACE RIGHTS FOR PUBLIC PURPOSES

KNOW ALL MEN BY THESE PRESENTS, That the Grantor, Wolverine Pipeline Company, with offices at 1201 Elm Street, Dallas, Texas 75270 for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) in hand paid by the Little Calumet River Basin Development Commission, (hereinafter the Commission), the receipt of which is hereby acknowledged, do hereby subordinate unto the Commission, its interest which has been acquired in, through, or by easement or easements in the real estate described in the attached Exhibits A to the paramount right of the Little Calumet River Basin Development Commission and its assignees to construct, reconstruct, operate, maintain, and patrol flood control levees, ditches, flowage areas and appurtenances as described in the Exhibits attached hereto, (hereinafter the Project.)

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Any alteration and/or relocation of said Grantor's facilities now or hereinafter made within or adjacent to the aforesaid described land, which is required by order of the Commission in connection with any exercise by the Commission of its right hereunder shall be performed by the Grantor, but the Grantee shall reimburse the Grantor for the actual reasonable cost of such performance.

99 OCT 29 PM 1:18
MORTGAGE
RECORDED

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

This subordination of the Grantor's easement or easements shall be effective only as to such air and surface rights and to such distances below the surface as may reasonably be required to construct, reconstruct, operate, maintain and patrol the Project and that otherwise this subordination shall in no way affect or impair the rights of the Grantor, its successors or assigns, under and by virtue of said easement or easements, to maintain its facilities or construct new facilities, provided that the maintenance of existing or construction of any future facility under, over and across the Project shall be performed in such a manner as not to interfere with or impair the use of the Project and shall be approved in advance by the United States Army Corps of Engineers, which permission shall not be unreasonably withheld.

NOT-TAXABLE

Please return to:

OCT 29 1999

001992

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Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, IN 46368

1

PETER BENJAMIN
LAKE COUNTY AUDITOR

30.00
066412

Grantor shall use its best efforts to notify the United States Army Corps of Engineers prior to initiating emergency maintenance to Grantor's facilities. In addition, Grantor shall use its best efforts to coordinate said emergency maintenance procedures with the United States Army Corps of Engineers so as to preserve the integrity of the flood control facilities.

This Agreement may be assigned by the Commission to the United States Army Corps of Engineers without permission for the Grantor.

IN WITNESS WHEREOF, the Grantor and the Commission have hereunto set their hands and seals this 29 day of September, 1999.

WOLVERINE PIPELINE COMPANY
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

Timothy C. Felt
Timothy C. Felt, President

Emerson Delaney
Emerson Delaney

Timothy J. Suttle
TIMOTHY J. SUTTLE, Asst. Sec.

John DeMeo
John DeMeo

STATE OF ~~INDIANA~~ TEXAS)
) SS:
COUNTY OF DALLAS)

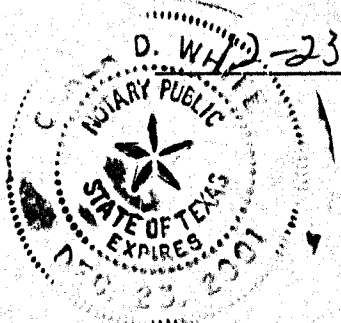


Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Timothy C. Felt and Timothy J. Suttle, the President and Assistant Secretary, respectively, of the Wolverine Pipeline Company, and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal this 29 day of September, 1999.

My Commission expires:

Carla D. White
Carla D. White, Notary Public



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Emerson Delaney and John DeMeo, the Chairman and Secretary, respectively, of the **Little Calumet River Basin Development Commission**, and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal this 12th day of October, 19 99.

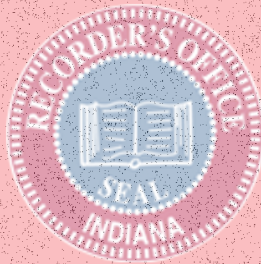
My Commission expires:

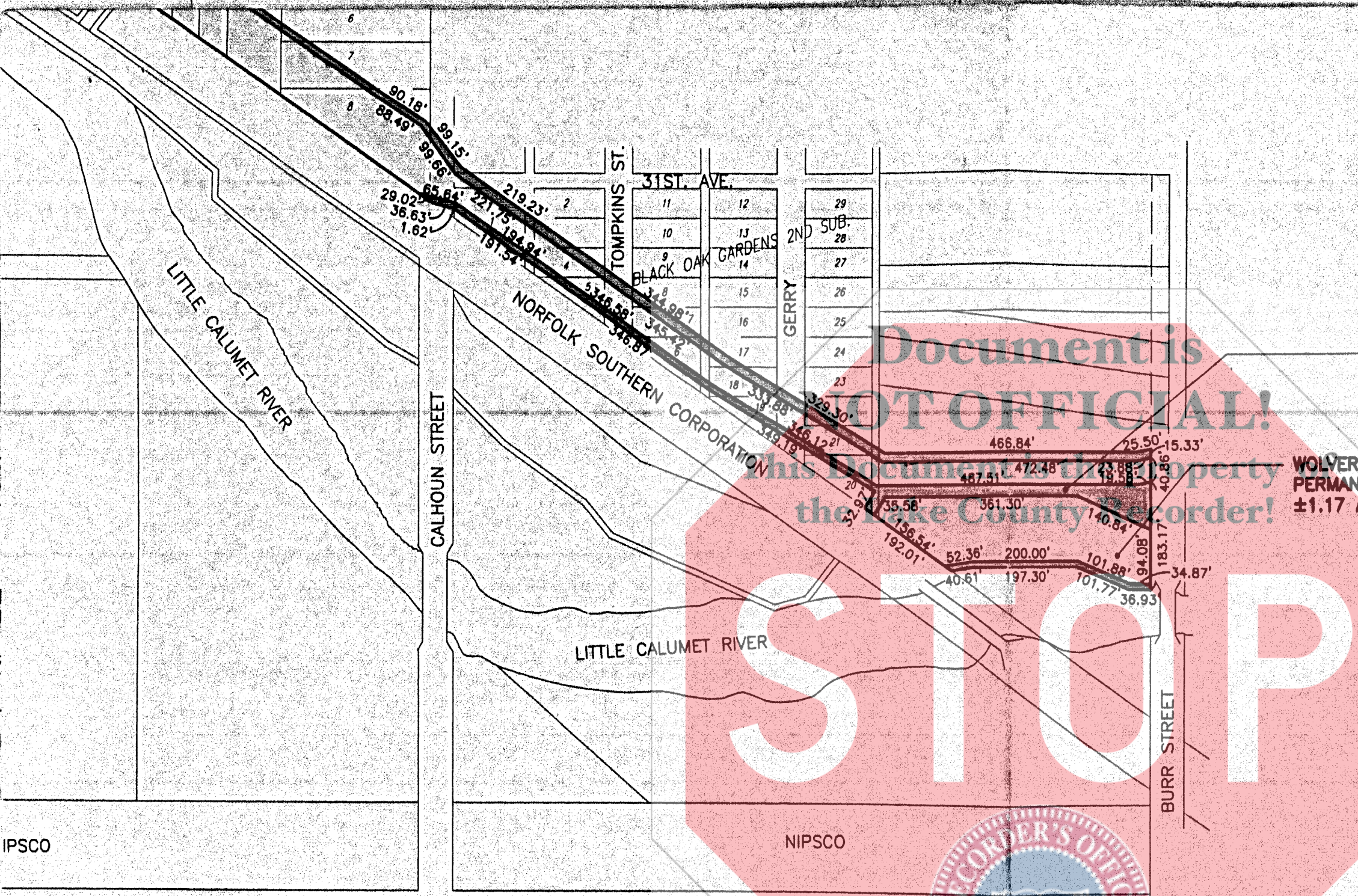
April 14, 2000

Document is
NOT OF Sandra J. Mordus, Notary Public

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the Lake County Recorder!

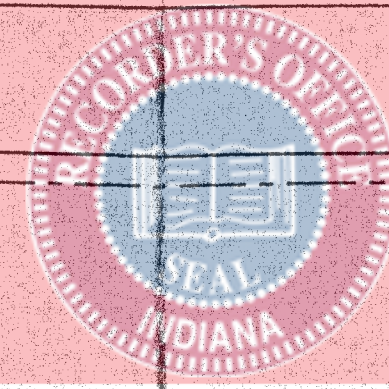
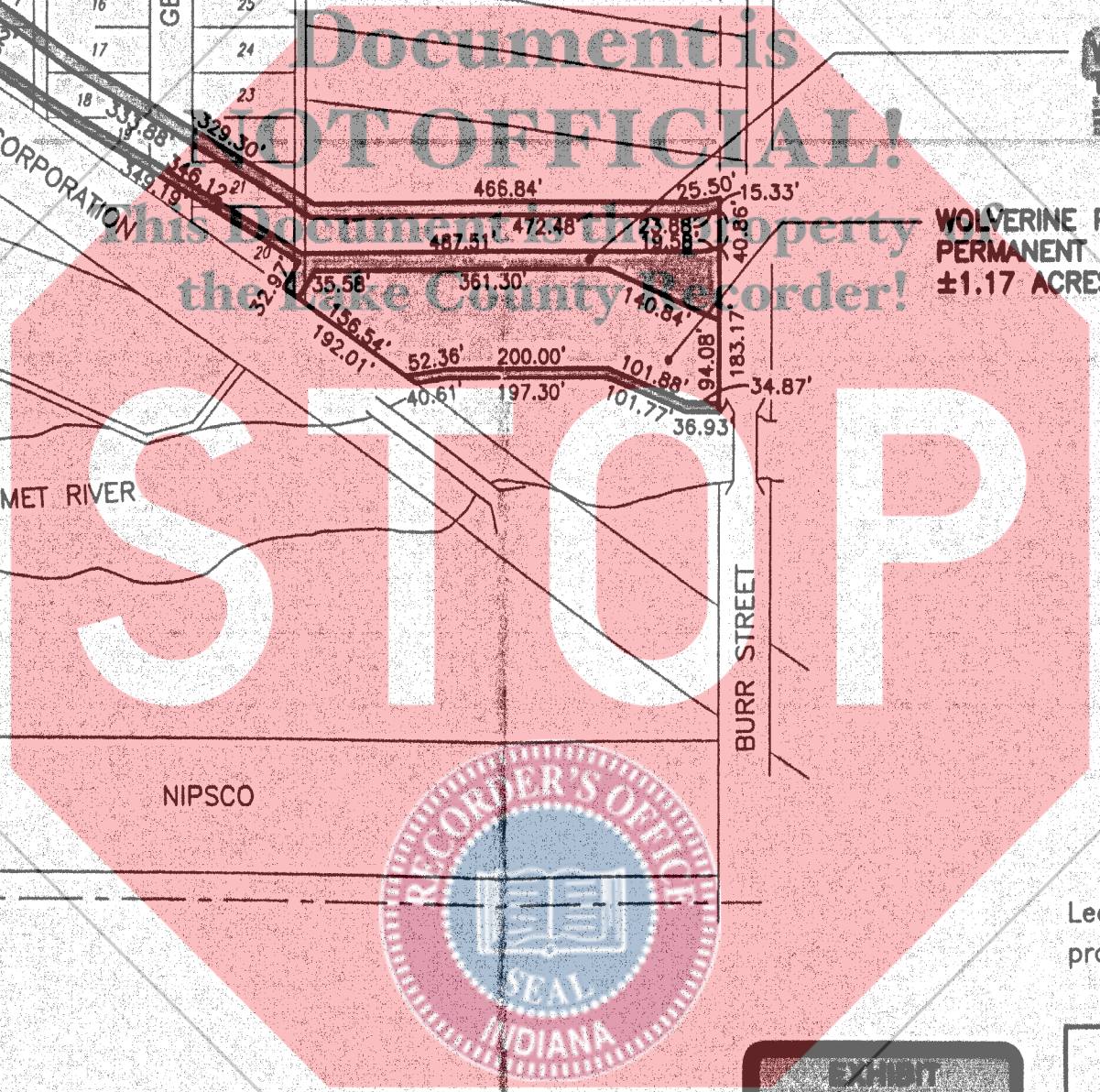
STOP





**WOLVERINE PIPELINE CO.
TEMPORARY EASEMENT T3
±1.73 ACRES**

**WOLVERINE PIPELINE CO.
PERMANENT EASEMENT P2
±1.17 ACRES**



Legal descriptions are based on coordinates provided by the Corps of Engineers.

CENTERLINE SECTION 24-36-9



LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION LOCAL FLOOD PROTECTION STAGE IV, PHASE 1				
WOLVERINE PIPELINE COMPANY EASEMENTS				
PREPARED BY	DATE	CHECKED BY	DATE	SCALE
GLH	1/4/99	LMD	2/15/99	AS SHOWN
PROJECT NO.			SHEET 1 OF 1	
JOB NO.				

CA
 ACCT. NO. 9964-0002-70
 9964-0013-70
COLE ASSOCIATES INC.
 ENGINEERS ARCHITECTS PLANNERS SURVEYORS
 SOUTH BEND INDIANAPOLIS CHESTERTON
 HAMMOND NILES, MI

7				
6				
5				
4				
3				
2	REVISED EASEMENT BOUNDARIES & DESCRIPTIONS	04/23/99	LMD	GLH
1	REVISED EASEMENT BOUNDARIES & DESCRIPTIONS	04/13/99	LMD	GLH
REV.	DESCRIPTION	DATE	BY	CH'K.

PERMANENT EASEMENT P1

DESCRIPTION

A parcel of land in Sections 23 and 24, Township 36 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of Section 23; thence North 89°31'35" West along the North line of said Section a distance of 679.08 feet to the POINT OF BEGINNING;

- 1) thence South 00°52'36" West a distance of 8.24 feet;
- 2) thence South 56°42'15" East a distance of 680.79 feet;
- 3) thence South 69°19'15" East a distance of 69.78 feet;
- 4) thence South 52°08'41" East a distance of 96.99 feet;
- 5) thence South 49°44'04" East a distance of 136.99 feet;
- 6) thence South 55°44'13" East a distance of 1299.18 feet;
- 7) thence South 58°11'12" East a distance of 88.49 feet;
- 8) thence South 36°42'24" East a distance of 99.66 feet;
- 9) thence South 55°56'14" East a distance of 221.75 feet;
- 10) thence South 55°41'40" East a distance of 345.42 feet;
- 11) thence South 59°16'40" East a distance of 333.88 feet;
- 12) thence North 90°00'00" East a distance of 472.49 feet;
- 13) thence North 78°26'29" East a distance of 23.88 feet;
- 14) thence South 00°14'35" West a distance of 40.86 feet;
- 15) thence South 78°25'50" West a distance of 19.58 feet;
- 16) thence North 90°00'00" West a distance of 487.51 feet;
- 17) thence North 59°16'44" West a distance of 346.12 feet;
- 18) thence North 55°41'37" West a distance of 346.58 feet;
- 19) thence North 55°56'23" West a distance of 194.94 feet;
- 20) thence North 75°59'27" West a distance of 65.64 feet;
- 21) thence North 55°50'33" West a distance of 1583.53 feet;
- 22) thence North 44°28'36" West a distance of 66.36 feet;
- 23) thence North 55°24'18" West a distance of 881.31 feet;
- 24) thence North 34°10'32" East a distance of 10.88 feet;
- 25) thence South 89°31'35" East a distance of 116.40 feet to the POINT OF BEGINNING, excluding therefrom all public road rights-of-way, containing a net area of 5.91 acres, more or less.

NORTH



SCALE: 1"=200'

PERMANENT EASEMENT P2

DESCRIPTION

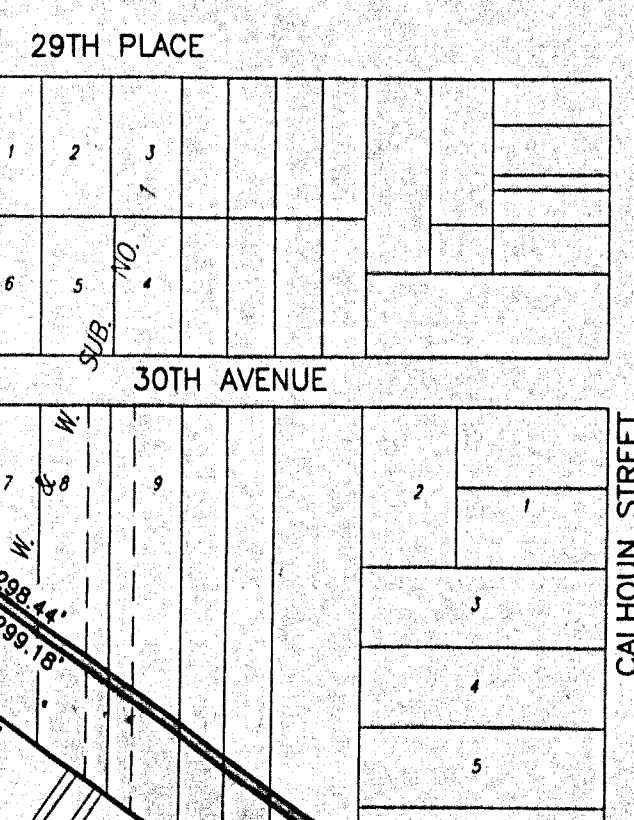
A parcel of land in Section 24, Township 36 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, more particularly described as follows:

Commencing at the intersection of the Northeasterly line of the Norfolk Southern Railroad right-of-way with the East line of Calhoun Street; thence South 55°50'33" East along said Northeasterly Line a distance of 898.91 feet to the POINT OF BEGINNING;

- 1) thence North 34°22'02" East a distance of 35.58 feet;
- 2) thence North 90°00'00" East a distance of 361.30 feet;
- 3) thence South 66°40'00" East a distance of 140.84 feet;
- 4) thence South 00°14'35" West a distance of 94.08 feet;
- 5) thence North 88°48'52" West a distance of 34.87 feet;
- 6) thence North 67°24'25" West a distance of 101.88 feet;
- 7) thence North 90°00'00" West a distance of 200.00 feet;
- 8) thence South 82°01'46" West a distance of 52.36 feet;
- 9) thence North 55°50'33" West a distance of 156.54 feet to the POINT OF BEGINNING, excluding therefrom all public road rights-of-way, containing a net area of 1.17 acres, more or less.

-36-9

P1



TEMPORARY EASEMENT T1
DESCRIPTION

A parcel of land in Sections 23 and 24, Township 36 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of Section 23;
thence North 89°31'35" West along the North line of said Section a distance of 673.70 feet to the POINT OF BEGINNING;

- 1) thence South 56°42'14" East a distance of 679.40 feet;
- 2) thence South 69°19'14" East a distance of 70.17 feet;
- 3) thence South 52°08'53" East a distance of 98.71 feet;
- 4) thence South 49°44'00" East a distance of 136.68 feet;
- 5) thence South 55°44'12" East a distance of 1298.44 feet;
- 6) thence South 58°11'38" East a distance of 90.18 feet;
- 7) thence South 39°35'38" East a distance of 99.15 feet;
- 8) thence South 55°56'17" East a distance of 219.23 feet;
- 9) thence South 55°41'42" East a distance of 344.98 feet;
- 10) thence South 59°16'40" East a distance of 329.30 feet;
- 11) thence North 90°00'00" East a distance of 466.84 feet;
- 12) thence North 78°26'24" East a distance of 25.50 feet;
- 13) thence South 00°14'35" West a distance of 15.32 feet;
- 14) thence South 78°26'36" West a distance of 23.89 feet;
- 15) thence North 90°00'00" West a distance of 472.48 feet;
- 16) thence North 59°16'42" West a distance of 333.88 feet;
- 17) thence North 55°41'40" West a distance of 345.42 feet;
- 18) thence North 55°56'14" West a distance of 221.75 feet;
- 19) thence North 36°42'24" West a distance of 99.66 feet;
- 20) thence North 58°11'12" West a distance of 88.49 feet;
- 21) thence North 55°44'13" West a distance of 1299.18 feet;
- 22) thence North 49°44'04" West a distance of 136.99 feet;
- 23) thence North 52°08'41" West a distance of 96.99 feet;
- 24) thence North 69°19'15" West a distance of 69.78 feet;
- 25) thence North 56°42'15" West a distance of 680.79 feet;
- 26) thence North 00°52'36" East a distance of 8.24 feet;
- 27) thence South 89°31'35" East a distance of 5.61 feet to the POINT OF BEGINNING, excluding therefrom all public road rights-of-way, containing a net area of 1.05 acres, more or less.

TEMPORARY EASEMENT T2
DESCRIPTION

A parcel of land in Section 23, Township 36 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of Section 23;
thence North 89°31'35" West along the North line of said Section a distance of 795.47 feet to the POINT OF BEGINNING;

- 1) thence South 34°10'32" West a distance of 10.88 feet;
- 2) thence South 55°24'18" East a distance of 881.31 feet;
- 3) thence South 44°28'36" East a distance of 66.36 feet;
- 4) thence North 55°50'33" West a distance of 50.75 feet;
- 5) thence North 44°28'59" West a distance of 15.64 feet;
- 6) thence North 55°24'18" West a distance of 798.19 feet;
- 7) thence North 58°14'01" West a distance of 122.10 feet;
- 8) thence South 89°31'35" East a distance of 47.98 feet to the POINT OF BEGINNING, containing a net area of 0.23 acres, more or less.

LITTLE CALUMET RIVER

TEMPORARY EASEMENT T3
DESCRIPTION

A parcel of land in Section 24, Township 36 North, range 9 West of the Second Principal Meridian, Lake County, Indiana, more particularly described as follows:

Commencing at the intersection of the Northeasterly line of the Norfolk Southern Railroad right-of-way with the East line of Calhoun Street; thence North 00°13'15" East along said East line a distance of 15.22 feet to the POINT OF BEGINNING;

- 1) thence North 55°56'08" West a distance of 1.62 feet;
- 2) thence North 75°59'43" West a distance of 36.63 feet;
- 3) thence North 55°50'33" West a distance of 29.02 feet;
- 4) thence South 75°59'27" East a distance of 65.64 feet;
- 3) thence South 55°56'23" East a distance of 194.94 feet;
- 4) thence South 55°41'37" East a distance of 346.58 feet;
- 5) thence South 59°16'44" East a distance of 346.12 feet;
- 6) thence North 90°00'00" East a distance of 487.51 feet;
- 7) thence North 78°25'50" East a distance of 19.58 feet;
- 8) thence South 00°14'35" West a distance of 183.17 feet;
- 9) thence North 88°48'49" West a distance of 36.93 feet;
- 10) thence North 67°24'41" West a distance of 101.77 feet;
- 11) thence North 90°00'00" West a distance of 197.30 feet;
- 12) thence South 82°01'49" West a distance of 40.61 feet;
- 13) thence North 55°50'33" West a distance of 192.01 feet;
- 14) thence North 34°22'39" East a distance of 32.97 feet;
- 15) thence North 59°16'41" West a distance of 349.19 feet;
- 16) thence North 55°41'44" West a distance of 346.87 feet;
- 17) thence North 55°56'08" West a distance of 191.54 feet; to the POINT OF BEGINNING, excluding therefrom all public road rights-of-way, containing a net area of 1.73 acres, more or less.



69.78' 96.99'
98.71' 136.68'
15.64' 50.75'

LITTLE CALUMET RIVER

COLFAX STREET

N

ENG'D BY: GLH
DRAWN BY: GLH - OLD PENS
DATE: 4/23/99
CAD FILE: F:\PROJECTS\LCRBCD\STAGE_4\WOLVERIN.DWG

E. J. & E. RAILROAD

BLACK OAK ROAD

BLACK OAK ROAD

NORFOLK SOUTHERN CORPORATION

STEVENSON STREET

COLFAX STREET

29TH AVENUE

NORTH LINE SECTION 24

1413
2324

WOLVERINE PIPELINE CO. PERMANENT EASEMENT
45.91 ACRES

SUMAR

WOLVERINE PIPELINE CO. TEMPORARY EASEMENT 12
40.23 ACRES

TEMPORARY EASEMENT 11

DESCRIPTION

A parcel of land in Sections 23 and 24, Township 36 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, more particularly described as follows:
Commencing at the Northeast corner of Section 23; thence North 89°31'35" West along the North line of said Section a distance of 673.70 feet to the POINT OF BEGINNING;

STOP
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TEMPORARY EASEMENT 13

DESCRIPTION

A parcel of land in Section 24, Township 36 North, range 9 West of the Second Principal Meridian, Lake County, Indiana, more particularly described as follows:
Commencing at the intersection of the Northeastery line of the Norfolk Southern Railroad right-of-way with the East line of Cahoun Street; thence North 00°13'15" East along said East line a distance of 15.22 feet to the POINT OF BEGINNING;

- 1) thence South 56°42'14" East a distance of 679.40 feet;
- 2) thence South 69°19'14" East a distance of 70.17 feet;
- 3) thence South 52°08'53" East a distance of 98.71 feet;
- 4) thence South 49°44'00" East a distance of 136.68 feet;
- 5) thence South 55°44'12" East a distance of 1298.44 feet;
- 6) thence South 58°11'38" East a distance of 90.18 feet;
- 7) thence South 39°35'38" East a distance of 99.15 feet;
- 8) thence South 55°56'17" East a distance of 219.23 feet;
- 9) thence South 55°41'42" East a distance of 344.98 feet;
- 10) thence South 59°16'40" East a distance of 329.30 feet;
- 11) thence North 90°00'00" East a distance of 466.84 feet;
- 12) thence North 78°26'24" East a distance of 25.50 feet;
- 13) thence South 00°14'35" West a distance of 15.32 feet;
- 14) thence South 78°26'36" West a distance of 23.89 feet;
- 15) thence North 90°00'00" West a distance of 472.48 feet;
- 16) thence North 59°16'42" West a distance of 333.88 feet;
- 17) thence North 55°41'40" West a distance of 345.42 feet;
- 18) thence North 55°56'14" West a distance of 221.75 feet;
- 19) thence North 36°42'24" West a distance of 99.66 feet;
- 20) thence North 58°11'12" West a distance of 88.49 feet;
- 21) thence North 55°44'13" West a distance of 1299.18 feet;
- 22) thence North 49°44'04" West a distance of 136.99 feet;
- 23) thence North 52°08'41" West a distance of 69.78 feet;
- 24) thence North 69°19'15" West a distance of 680.79 feet;
- 25) thence North 56°42'15" West a distance of 82.24 feet;
- 26) thence North 00°52'36" East a distance of 8.24 feet;
- 27) thence South 89°31'35" East a distance of 5.61 feet;

- 1) thence North 55°56'08" West a distance of 1.62 feet;
- 2) thence North 75°59'43" West a distance of 36.63 feet;
- 3) thence North 55°50'33" West a distance of 29.02 feet;
- 4) thence South 75°59'27" East a distance of 65.64 feet;
- 5) thence South 55°56'23" East a distance of 194.94 feet;
- 6) thence South 59°16'44" East a distance of 346.12 feet;
- 7) thence North 90°00'00" East a distance of 487.51 feet;
- 8) thence North 78°25'50" East a distance of 19.58 feet;
- 9) thence South 00°14'35" West a distance of 183.17 feet;
- 10) thence North 88°48'49" West a distance of 36.93 feet;

COLFAX STREET

LITTLE CALUMET RIVER

LITTLE CALUMET RIVER

LITTLE CALUMET RIVER

LITTLE CALUMET RIVER