

DC-594

GRANT OF PERMANENT LEVEE EASEMENT

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LAKE COUNTY TRUST COMPANY, TRUST NO. 3071, 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, a perpetual and assignable levee 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:

(EXHIBIT "A" 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) to construct, maintain, repair, operate, patrol and replace a flood protection levee, including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired; subject however to existing easement for public roads and highways, public utilities, railroads and pipelines as long as they do not interfere with the project.

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

this 17 day of July 2000
~~1999~~

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

FILED

JUL 25 2000

PETER BENJAMIN
LAKE COUNTY AUDITOR

21⁰⁰
Ac

01405

6782

LAKE COUNTY TRUST COMPANY.
TRUST NO. TR. 3071

X SEE SIGNATURE PAGE ATTACHED
By: _____

ATTEST

Document is
NOT OFFICIAL!

This Document is the property of
this Lake County Recorder!

STATE OF INDIANA)

COUNTY OF LAKE)

Before me, a Notary Public in and for said County and State, on this 17 day of JULY, ~~1999~~²⁰⁰⁰, came ELAINE SIEVERS, ~~and~~ REPRESENTATIVE, ~~the AND TRUST OFFICER~~ and _____, respectively of the Lake County Trust Company, Trust No. TR.3071, and acknowledged the execution of the foregoing instrument.

Witness my Hand and Notarial Seal.

My Commission Expires:

4/14/08



Judith A. Vamos
NOTARY PUBLIC

Resident of LAKE County, IN

JUDITH A VAMOS
NOTARY PUBLIC STATE OF INDIANA
LAKE COUNTY
MY COMMISSION EXT. APR. 14, 2009

This Instrument prepared by:

Louis M. Casale, Attorney
LUCAS, HOLCOMB & MEDREA
300 East 90th Drive
Merrillville, IN 46410
(219) 769-3561

*Trust # 3071
signature page*

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against LAKE COUNTY TRUST COMPANY on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

Nothing contained herein shall be construed as creating any liability on LAKE COUNTY TRUST COMPANY, personally under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or the Indiana Responsible Property Transfer Law (the Act) as amended from time to time or any other Federal, State or local law, rule or regulation. LAKE COUNTY TRUST COMPANY, personally is not a "Transferor or Transferee" under the Act and makes no representations concerning any possible environmental defects. In making any warranty herein the Trustee is relying solely on information furnished to it by the beneficiaries and not of its own knowledge and specifically exculpates itself from any liabilities, responsibilities or damages as a result of including any warranty in this instrument.

The information contained in this instrument has been furnished the undersigned by the beneficiaries under aforesaid Trust and the statements made therein are made solely in reliance thereon and no responsibility is assumed by the undersigned, in its individual capacity for the truth or accuracy of the facts herein stated.

IN WITNESS WHEREOF, LAKE COUNTY TRUST COMPANY, not personally but as Trustee as aforesaid, has caused these presents to be signed by its Trust Officer and attested by its Assistant Secretary this 17th day of July, 2000.

LAKE COUNTY TRUST COMPANY, not personally but as Trustee under the provisions of a Trust Agreement dated January 20, 1981 and known as Trust No. 3071.

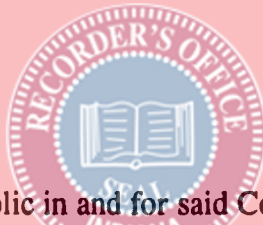
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This Document is the property of the Lake County Recorder.
By: Elaine M. Sievers
Elaine M. Sievers, Trust Officer

ATTEST:

By: Hesta Payo
Hesta Payo, Assistant Secretary

STOP



STATE OF INDIANA)
)SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Officers of LAKE COUNTY TRUST COMPANY, who acknowledged the execution of the foregoing instrument as the free and voluntary act of said Corporation and as their free and voluntary act, acting for such Corporation, as Trustee.

Witness my hand and seal this 17th day of July, 2000.

Laura T. Kleven
Laura T. Kleven, Notary Public

My Commission Expires: 05-08-08 Resident Lake County, Indiana

(Page 2 of 2 pages of Trustee's Signature Pages)

**Owner: Lake County Trust
Co. Trust #3071**

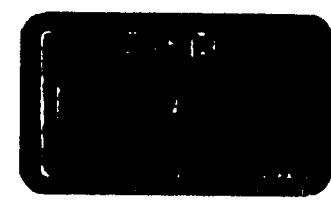
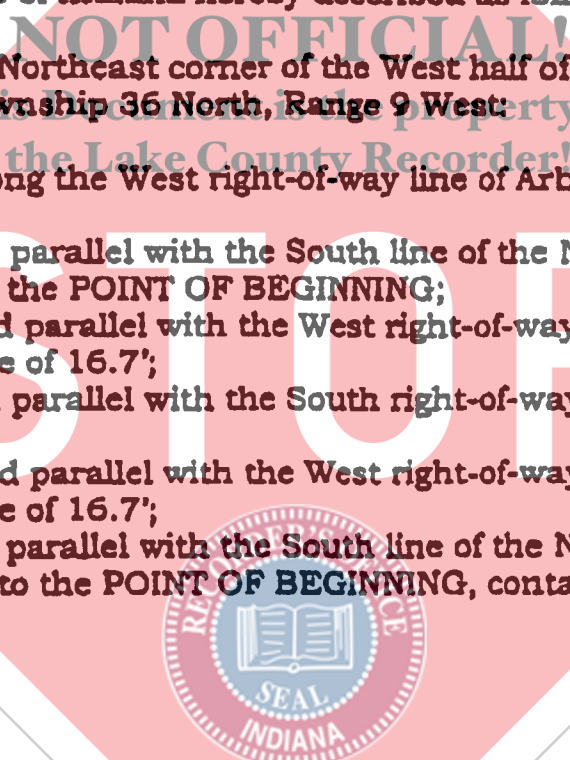
PERMANENT LEVEE EASEMENT

DESCRIPTION

A part of the West half of the Southeast Quarter of Section 23, Township 36 North, Range 9 West, of the Second P.M., all in the town of Griffith, county of Lake, and state of Indiana hereby described as follows:

Beginning at the Northeast corner of the West half of the Southeast Quarter of Section 23, Township 36 North, Range 9 West:

- thence, South along the West right-of-way line of Arbogast Avenue a distance of 46.7';
- thence, West and parallel with the South line of the NIPSCO right-of-way a distance of 30' to the POINT OF BEGINNING;
- thence, North and parallel with the West right-of-way line of Arbogast Avenue a distance of 16.7';
- thence, West and parallel with the South right-of-way line of NIPSCO a distance of 23.9';
- thence, South and parallel with the West right-of-way line of Arbogast Avenue a distance of 16.7';
- thence, East and parallel with the South line of the NIPSCO right-of-way a distance of 23.9' to the POINT OF BEGINNING, containing 0.009 acres, more or less.

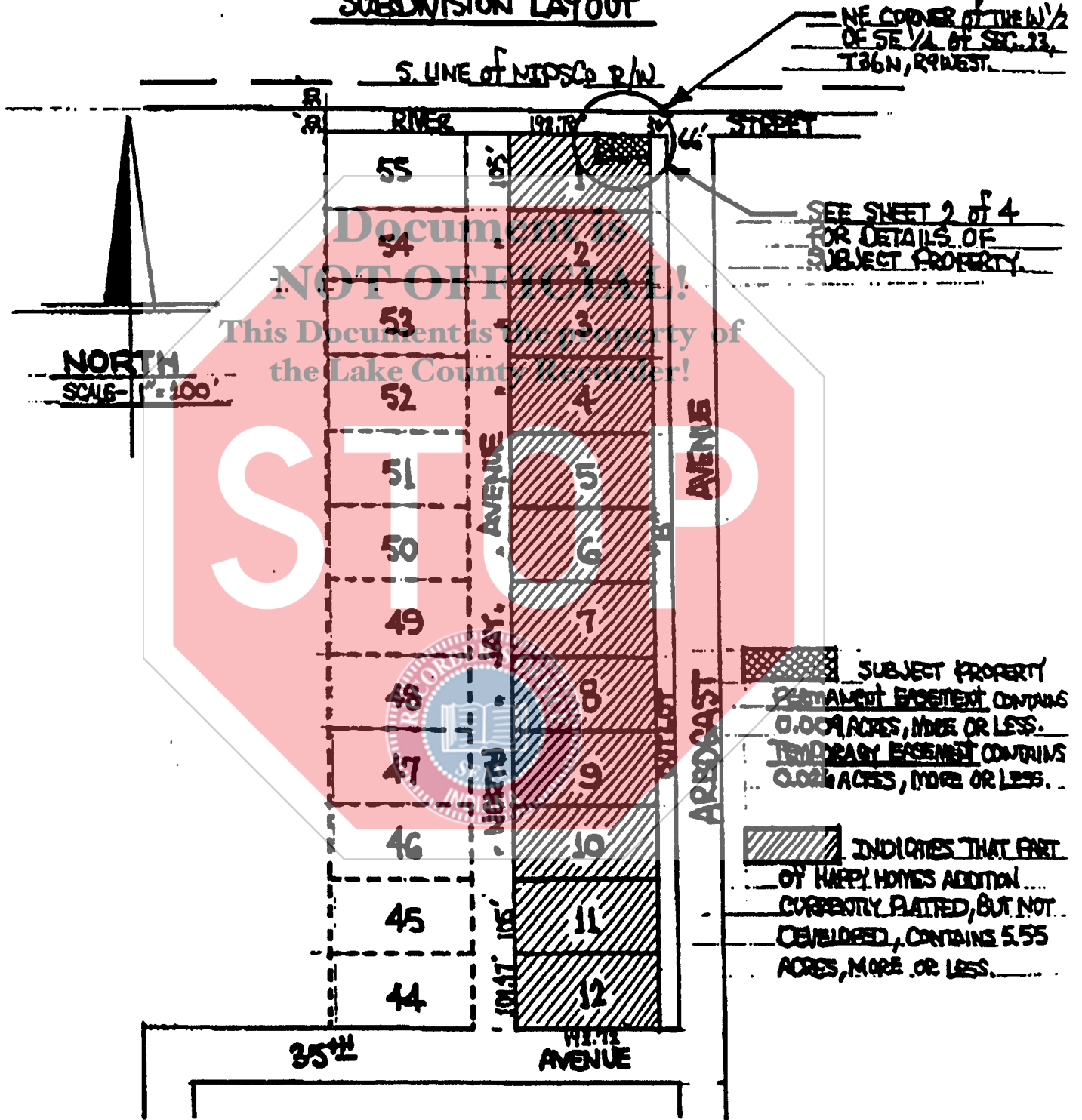


OWNER: LAKE CO. TRUST
CO. TRUST #30711

DC 594
(REVISED-MARCH 15, 1999)

COUNTY: LAKE
SECTION: 23
TOWNSHIP: 36 N.
RANGE: 9 WEST
DATE: DEC. 24, 1998

HAPPY HOMES ADDITION SUBDIVISION LAYOUT



SEE SHEET 2 OF 4
FOR DETAILS OF
SUBJECT PROPERTY.

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the Lake County Register!

SUBJECT PROPERTY
PERMANENT EASEMENT CONTAINS
0.009 ACRES, MORE OR LESS.
TEMPORARY EASEMENT CONTAINS
0.006 ACRES, MORE OR LESS.

INDICATES THAT PART
OF HAPPY HOMES ADDITION
CURRENTLY PLATTED, BUT NOT
DEVELOPED, CONTAINS 5.55
ACRES, MORE OR LESS.

This plat was prepared from information obtained from U.S. Army Corps of Engineers real estate and engineering drawings as well as legal descriptions of portions of individual parcels of land comprising this plat as recorded with the County which were not necessarily checked by a field survey or this report.

OWNER: LAKE CO. TRUST
CO. TRUST # 3071

DATE: DECEMBER 24, 1998
SCALE: 1" = 60'
(REVISED: MARCH 15, 1999)

DC-594

COUNTY: LAKE
SECTION: SECTION 23
TOWNSHIP: T36N
RANGE: R9 WEST

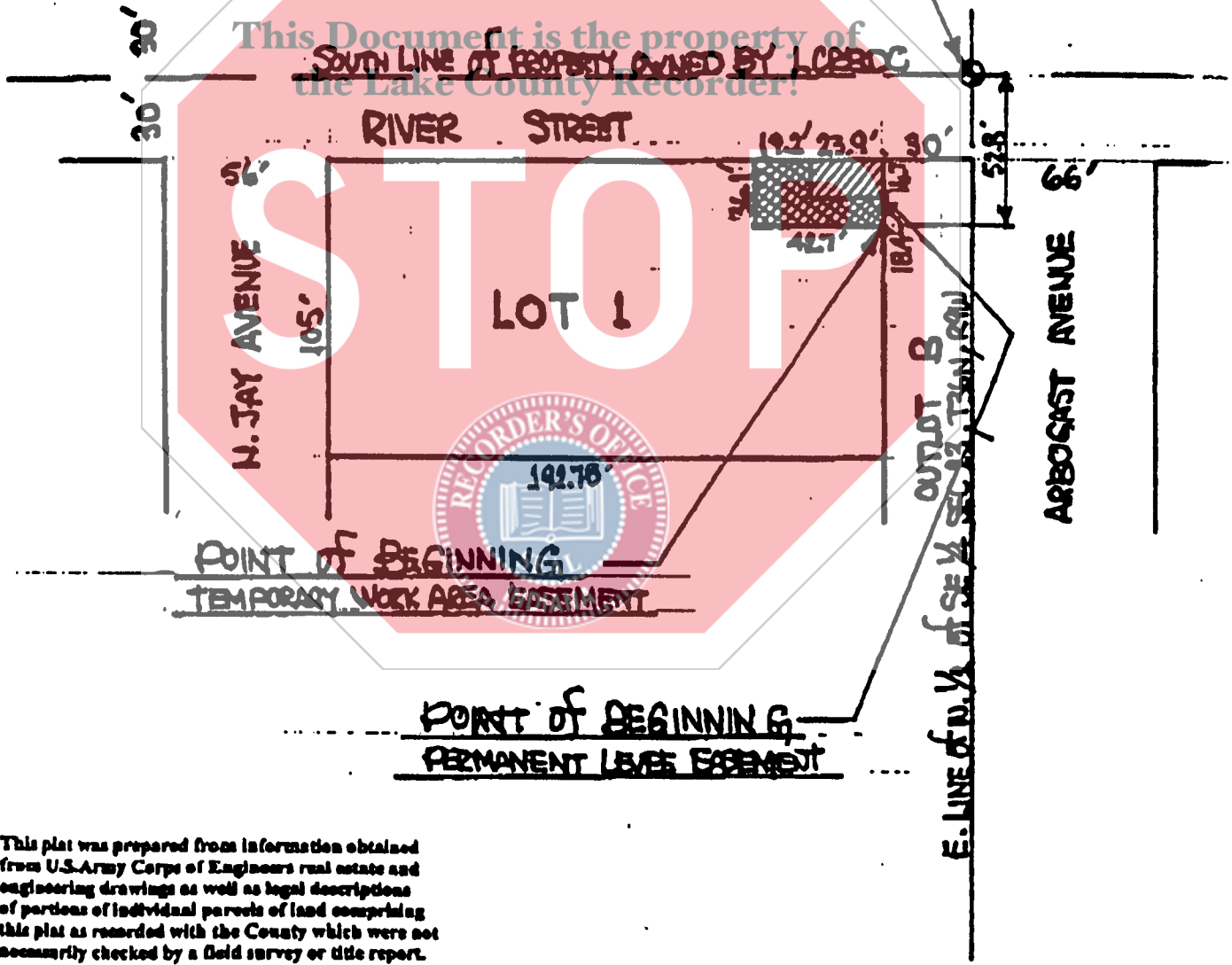


NORTH



NORTHEAST CORNER OF
THE WEST HALF OF THE
SOUTHEAST QUARTER OF
SECTION 23, TOWNSHIP 36N
RANGE 9 WEST.

Document is
NOT FOR RECORD!

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the Lake County Recorder!



This plat was prepared from information obtained from U.S. Army Corps of Engineers real estate and engineering drawings as well as legal descriptions of portions of individual parcels of land comprising this plat as recorded with the County which were not necessarily checked by a field survey or title report.

-  PERMANENT LEVEL EASEMENT (0.009 ACRES, MORE OR LESS)
-  TEMPORARY WORK AREA EASEMENT (0.026 ACRES, MORE OR LESS)

SHEET 2 of 4