

2000-059632  
EASEMENT

3

FOR VALUE RECEIVED the receipt and sufficiency of which is hereby mutually acknowledged the undersigned *Ronald Runk* hereinafter referred to as "GRANTOR", does hereby grant, warrant and convey unto the Town of Lowell, Lake County, Indiana hereinafter referred to as the "GRANTEE", the perpetual easement, including easements here before granted, with the right and authority to use for public right of way and utility purposes, including, but not limited to, storm water drainage purposes, and, if necessary from time to time, to install, construct, operate, maintain, repair, replace and renew pipelines, cables, and/or other appurtenances in the strip of land hereinafter described, together with all rights and privileges necessary and convenient for the full enjoyment or use thereof for the purposes herein described, including the right of ingress and egress to and from the strip of land over the adjoining lands of GRANTOR, herein, including the right to remove from said strip hereinafter described, any trees or growth or plants which may, in the sole judgment of the GRANTEE, endanger the safety or interfere with the use or enjoyment of the rights granted herein, in, upon, along, over and thru the easement strip of land or right of way situated in the Town of Lowell, Lake County, Indiana described as follows:

A part of the Southeast quarter of the Southeast Quarter of Section 23, Township 33 North, Range 9 West of the 2nd Principal Meridian being described as the North Thirty (30) feet of the following described parcel:

The North thirty feet (30) of the following described parcel of land: Part of the Southeast Quarter of the Southeast Quarter of Section 23, Township 33 North, Range 9 West of the Second P.M. described as beginning at a point 907.5 feet West and 172.41 feet North of the Southeast Corner of said section 23; said point being on the East Line of the premises conveyed to George N. Novak and George Miyata by deed recorded in Deed Record 1047, page 212; thence North 00 degrees 00 minutes 00 seconds East along the East line of the property conveyed to Novak and Miyata a distance of 231.46 feet to the Southwest Corner of Lot 1 MIDTOWN PLAZA UNIT 1; thence South 82 Degrees 00 minutes 58 seconds East a distance of 195.02 feet to the Southeast Corner of said Lot 1; thence North 04 Degrees 43 minutes 14 seconds East along the East line of said Lot 1 a distance of 180.29 feet to the centerline of Commercial Avenue; thence South 82 Degrees 00 minutes, 58 seconds East along the centerline of Commercial avenue a distance of 355.2 feet; thence southerly in a straight line 339.10 to a point on the North line of property described in Deed Record 923, Page 386; said point being 148 feet West of the Northeast corner of said property describe in Deed Record 923, Page 386; thence west a distance of 531.96 feet on the North line of the parcel conveyed in Deed Record 923, Page 386; said line also being parallel to the South line of Section 23 to the place of beginning.

The GRANTOR reserve the right to use the above described land not inconsistent with this grant and agree that no permanent structure shall be placed in the easement granted hereunder.

The GRANTEE shall and will indemnify and save the GRANTOR harmless from any and all damage, injury, losses, claims, demands or costs proximately and solely caused by the fault, culpability or negligence Of the GRANTEE in the use of this easement.

The undersigned GRANTOR hereby covenants to be the OWNER in fee simple of said real estate with good right and title to grant and convey an easement hereunder.

2000 AUG 17 2000

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

FILED

AUG 17 2000

PETER BENJAMIN  
LAKE COUNTY AUDITOR

RECEIVED  
JUL 24 2000  
TOWN OF LOWELL

01218  
14.00  
C.S.

Page 1 of 3

The easement, right and authority granted shall be binding upon the parties and/or their respective heirs, executors, administrators, assigns and/or successors in interest.

Dated this 21 day of July, 2000

THE GRANTOR CONVENANT OF WARRANTY RELATES ONLY TO ACTS COMMITTED OR DONE BY SAID GRANTOR

GRANTOR

Ronald Austen

Document is NOT OFFICIAL!

This Document is the property of the Lake County Recorder!

STATE OF INDIANA)

COUNTY OF Lake

Before me, a Notary Public, in and for said County and State,

This 21 day of July, 2000, personally appeared

RONALD AUSTEN

Printed Name

Printed Name

and acknowledged the execution of the foregoing instrument to be their free and voluntary act.

WITNESS my hand and notary seal this 21 day of July, 2000

My Commission expires

8-1-2001

Linda Farr  
Notary Public,

ACCEPTANCE

Accepted this 7<sup>th</sup> day of August, 2000

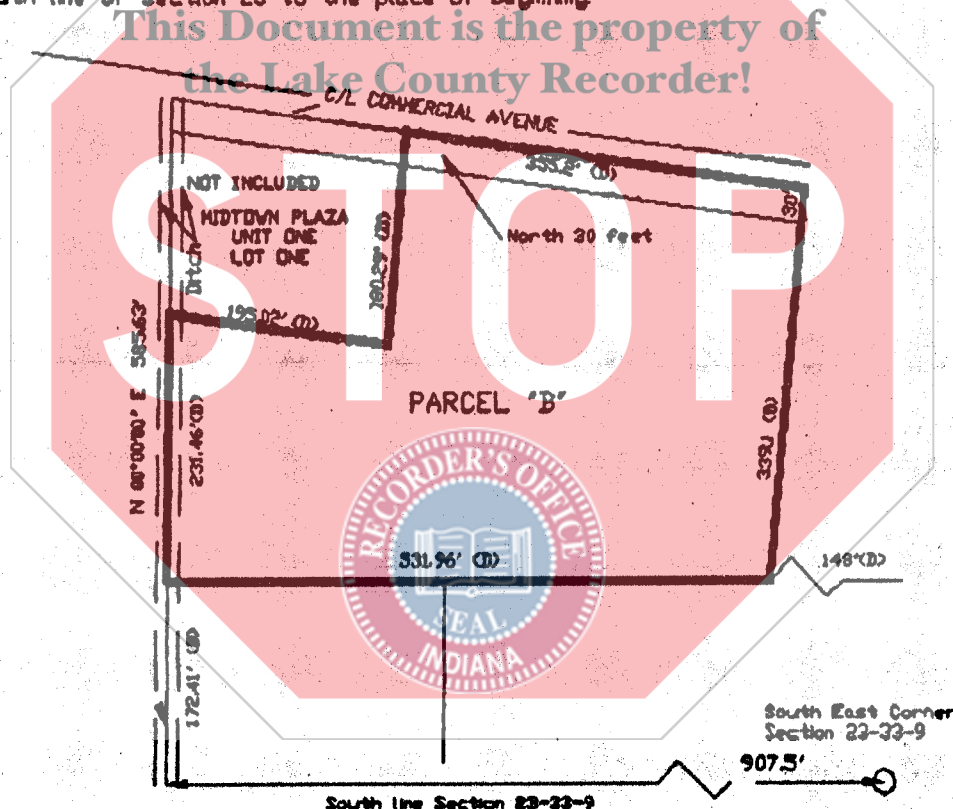
Town Of Lowell  
Town Council

Robert D. Hatch  
President,

# Road and Utility Easement<sup>\*</sup> Dedication Commercial Avenue SE 1/4 SE 1/4 Sec 23-33-9

## PARCEL 'B'

A part of the Southeast quarter of the Southeast Quarter of Section 23, Township 33 North, Range 9 West of the 2nd Principal Meridian being described as the North thirty feet (30) of the following described parcel:  
 the Southeast Quarter of the Southeast Quarter of Section 23, Township 33 North, Range 9 West of the Second P.M. described as beginning at a point 907.5 feet West and 172.41 feet North of the Southeast Corner of said section 23 said point being on the East Line of the premises conveyed to George N. Novak and George Miyata by deed recorded in Deed Record 1047, page 212; thence North 00 degrees 00 minutes 00 seconds East along the East line of the property conveyed to Novak and Miyata a distance of 231.46 feet to the Southwest Corner of Lot 1, MIDTOWN PLAZA UNIT 1; thence South 82 Degrees 00 minutes 58 seconds East a distance of 195.02 feet to the Southeast Corner of said Lot 1; thence North 04 Degrees 43 minutes 14 seconds East along the East line of said Lot 1 a distance of 180.29 feet to the centerline of Commercial Avenue; thence South 82 Degrees 00 minutes 58 seconds East along the centerline of Commercial Avenue a distance of 355.2 feet; thence southerly in a straight line 339.20 to a point on the North line of property described in Deed Record 923, Page 386; said point being 148 feet West of the Northeast corner of said property describe in Deed Record 923, Page 386; thence West a distance of 331.96 feet on the North line of the parcel conveyed in Deed Record 923, Page 386; said line also being parallel to the South line of Section 23 to the place of beginning.



Page 3 of 3

The plat and easement drawn hereon is based on the survey data of the Hargis-Tappen MIDTOWN PLAZA ADDITION - April 8, 1989 - to the Town of Lowell, Lake County, Indiana

*Steve W. Manich*  
 COMSUB DESIGN & ENGINEERING, INC  
 Steve W. Manich R.L.S. # 7866  
 Date 12-6-99 Scale 1"=160'