2000 069517

STATE OF INDIANA LAKE COUNTY FILED FOR FECORD

2000 SEP 22 PM 1: 28

MORRIS W. CARTER RECORDER

This Instrument Prepared by:

LAKE COUNTY

James H. Bunce, Esq.
Johnson, Bunce & Noble, P. C.
First Financial Plaza
411 Hamilton Blvd., Suite 1900
Peoria, Illinois 61602-1136

Tract No. LK001.00

Document is OT OFFICIAL!

Document is the property of

CATHODIC PROTECTION CONTRACT

KNOW ALL MEN BY THESE PRESENTS, That the Grantor, HAROLD H. MUSSMAN, of the County of Lake and State of Indiana, for and in consideration of the sum of Source of Lake and State of Indiana, for and in consideration of the sum of Source of Lake and the further consideration of the performance of the covenants and agreements by the Grantee, as hereinafter set out and expressed, do here GRANT, REMISE and RELINQUISH unto NORTHERN BORDER PIPELINE COMPANY, its successors and assigns, the RIGHT, PRIVILEGE AND EASEMENT to construct, maintain, and operate a cathodic unit, ground bed and appurtenances thereto, upon the following described land, situated in the County of Lake, State of Indiana to-wit:

As set forth on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD unto said Northern Border Pipeline Company, its successors and assigns, so long as such cathodic unit, ground bed and appurtenances thereto, shall be maintained, together with the right of ingress to and egress from said premises, for the purpose of constructing, inspecting, repairing, maintaining, and replacing the property of the Grantee located thereof, in whole or in part, at the will of the Grantee.

It is agreed that the cathodic unit, ground bed and appurtenances thereto, to be constructed upon the above described lands shall not become affixed to the realty in the sense of permanent fixtures forming part of the freehold, but that they shall remain personal property with a right of removal by the Grantee as herein provided.

14125 66356

As a further consideration for the grant, the Grantee herein agrees that it will pay to Grantors any damages which may arise to growing crops, trees, shrubbery, fences or buildings from the construction, maintenance or operation of said cathodic unit, ground bed and appurtenances thereto, provided, however, that the Grantee shall not be liable for damages either recurrent or otherwise, which shall arise solely from the deprivation of Grantors use of the area of said real estate upon which said cathodic unit may be erected.

This instrument, and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

NOT OFFICIAL

Harold H. Muserman

the Lake County Recorder!

STATE OF INDIANA

COUNTY OF LAKE

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that HAROLD H. MUSSMAN, in his own right, personally known to me to be the same person(s) whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed, and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 22 day of 50 ptember, A. D. 2000.

Notary Public

MAELTO: V NORTHERN BORDER PEPELENE CO. 1111 5. 103 RD St. Omaka, NE 68124

EXHIBIT A (Page 1 of 2)

TRACT NO. LK001.00

CATHODIC PROTECTION EASEMENT DESCRIPTION

A strip of land fifteen feet wide by one-hundred fifty feet long (15' x 150') located in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 25, Township 33 North, Range 10 West of the Second Principal Meridian (2nd P.M.), Lake County, Indiana, more particularly described as follows:

Commencing at a monument found at the Southwest corner of said Section 25, thence North 00° 13' 15" West (assumed bearing) along the West line of said Section 25 a distance of 248.75 feet to a point, the True Point of Beginning; thence continuing North 00° 13' 15" West along said West line of Section 25 a distance of fifteen feet (15') to the Southwest corner of that certain tract of land described by Exhibit "B" to that certain Real Estate Option dated February 25, 2000, recorded March 13, 2000 in the Office of the Recorder of Lake County, Indiana, as Document No. 2000 017174; thence North 89° 46' 45" East along the South line of said tract of land described by said Exhibit "B" a distance of one-hundred fifty feet (150') to a point; thence South 89° 46' 45" West a distance of one-hundred fifty feet (150'), more or less, to the True Point of Beginning. Said strip of land contains approximately 2,250 square feet, (0.052 acres), more or less.

Basis of Bearings:

The West line of the Southwest Quarter (SW¼) of Section 25, Township 33 North, Range 10 West of the Second Principal Meridian (2nd P.M.), Lake County, Indiana, is assumed to bear North 00° 13' 15" West. All other above described bearings are relative thereto.

SEP 20 '00 14:31 FR NORTHERN BURDER FIFE LAKE COUNTY, INDIANA **EXHIBIT A** SEC. 8 N - R 15 E CO., ILLINO! (Page 2 of 2) SECTION 25, T 33 N - R TO W KANKAKEE N 89*46'45' E STATE LINE ROAD EXHIBIT "B" DOC. NO. 2000 017174 LOWELL NATIONAL BANK A PART OF THE SULL OF THE SULL OF SEC. 25, TANA, MON, LAKE CO. N. PLATTED BY TREO SURVEYING AND MAPPING DATED ALLY & MOL SOUTHWEST CORNER EXHIBIT "B" DOCUMENT NO. 2000 017174 N 89°46'45" E 150.001 S 00°13'15" E S 89°46'45" W N 00-13-15" W · 15.001 150.00 TRUE POINT OF CATHODIC BEGINNING PROTECTION 0041375 248.75 EASEMENT -SOUTHWEST CORNER OF SEC. 25, T-33-N, R-10-W. LAKE COUNTY, INDIANA

NOTE:
THE BEARINGS AND DISTANCES CALLED OUT ON THIS PLAY ARE BASED UPON A SURVEY
PLAT OF A PART OF THE SW'/4 OF THE SW'/4 OF SEC. 25, T33H, RIOW, LAKE CO, INDIÁNA,
DATED JULY 6, 1999, BY TRICO SURVEYING AND MAPPING, LOCATED IN ELLETSVILLE, IN...

Aprilian Barder

DATE PLOTTED IS SEP 1895 On Jaco

** TOTAL PAGE.02 **