

00744

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
CITY OF GARY

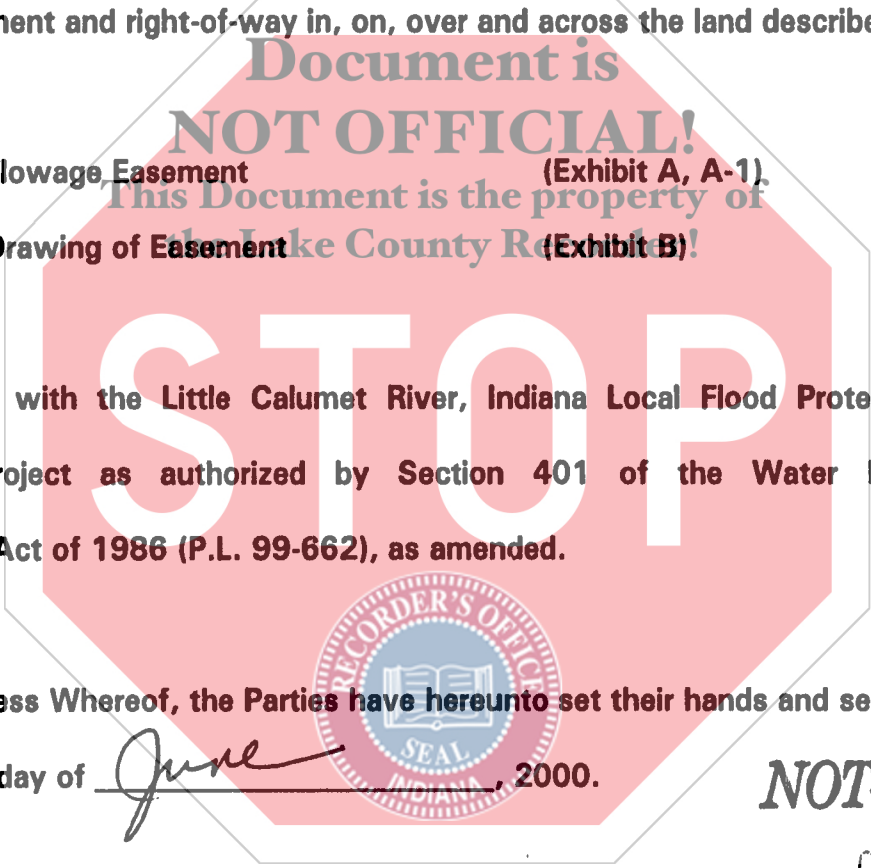
2000 073956

2000 OCT 11 AM 10:05
FLOWAGE EASEMENT

EAST REACH REMEDIATION AREA

THE CITY OF GARY, a municipal corporation located in 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", and its successors and assigns, for One Dollar (\$1.00) and other Good and Valuable Consideration, the receipt and sufficiency of which is hereby acknowledged, an assignable permanent flowage easement and right-of-way in, on, over and across the land described herein:

Flowage Easement (Exhibit A, A-1)
Drawing of Easement (Exhibit B)



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), as amended.

In Witness Whereof, the Parties have hereunto set their hands and seals this

28th day of June, 2000.

NOT-TAXABLE

OCT 11 2000

CITY OF GARY

By:
Title:

ATTEST:
By:
Title:

PETER BENJAMIN
LAKE COUNTY AUDITOR
STATE OF INDIANA, LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

By: Emerson Delaney
Title: Chairman

ATTEST: Dan Gardner
By: Dan Gardner
Title: Executive Director

Please return to:

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

20.00
EP.
6868

00983

IN WITNESS WHEREOF, the parties hereunto set their hands and seals on the date

written below.

DATE: _____

CONTRACTOR

BY: _____

CONTRACTOR

EMPLOYER I.D. NO.:

DATE: 6-28-00

BY: _____

BOARD OF PUBLIC WORKS
AND SAFETY

PRESIDENT

DATE: 6-28-00

BY: _____

VICE-PRESIDENT

DATE: 6-28-00

BY: _____

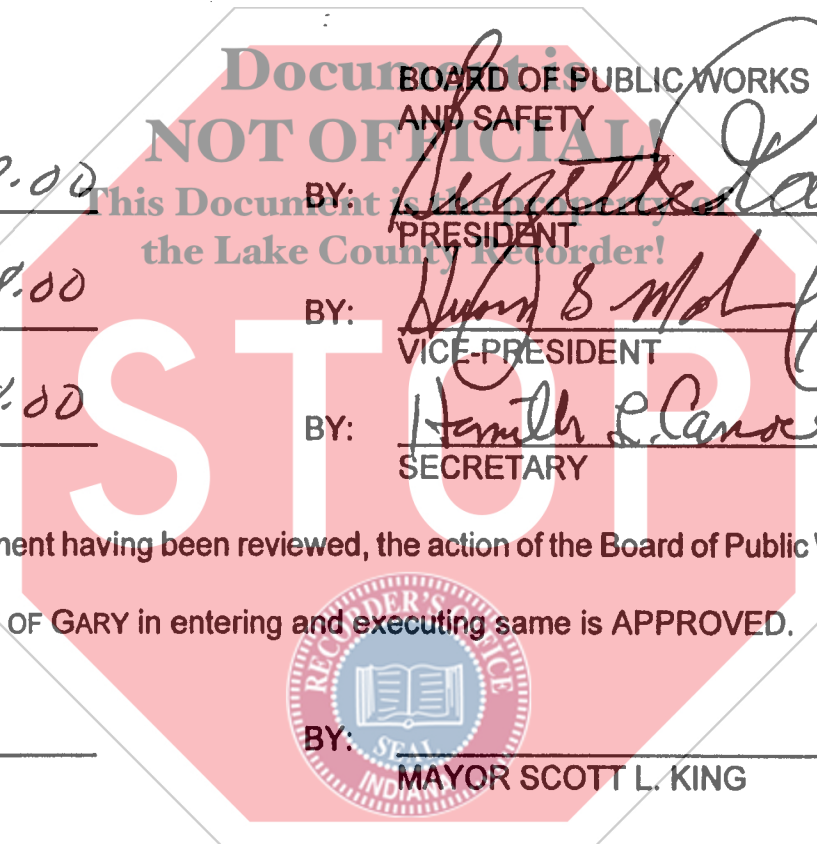
SECRETARY

This Agreement having been reviewed, the action of the Board of Public Works and Safety for the CITY OF GARY in entering and executing same is APPROVED.

DATE: _____

BY: _____

MAYOR SCOTT L. KING



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

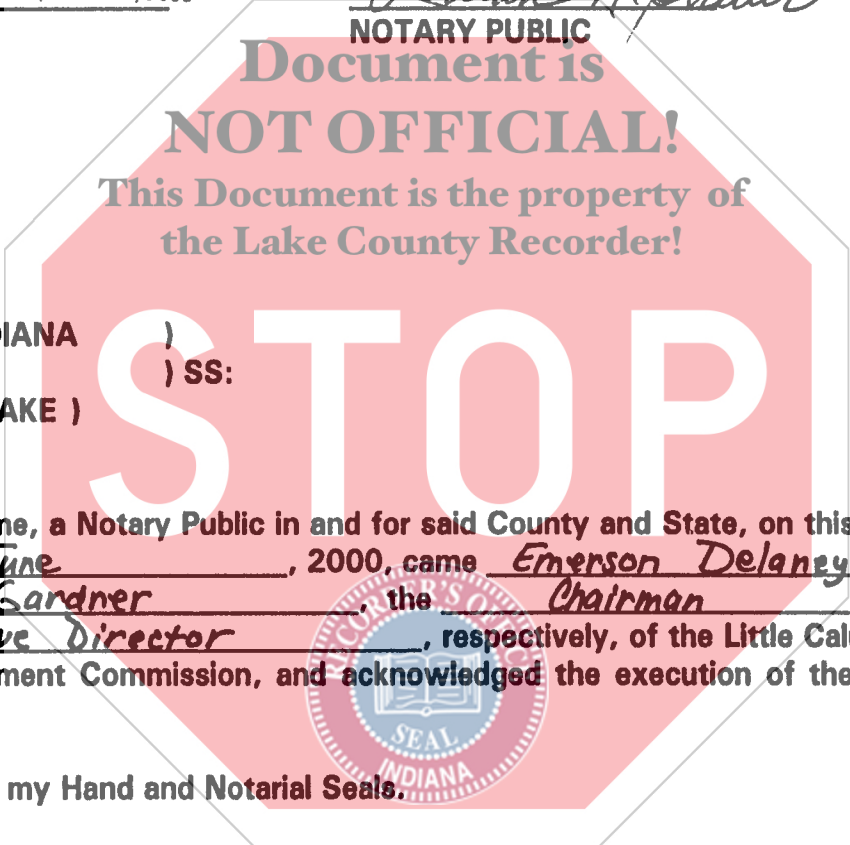
Before me, a Notary Public in and for said County and State, on this 28
day of June, 2000, came Suzette RAGGS, President
and Husain MAhmed-Vice Pres., the Hamilton Carmouche-Secretary
and _____, respectively, of the City of Gary, and
acknowledged the execution of the foregoing instrument.

Witness my Hand and Notarial Seals.

My Commission Expires:

Notary Public, State of Indiana
County of Lake
Resident of: _____
My Commission Expires Jul 6, 2008

Vivian M. Streeter
NOTARY PUBLIC



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, a Notary Public in and for said County and State, on this 20th
day of June, 2000, came Emerson Delaney
and Don 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 Seals.

My Commission Expires:

Resident of: _____

Sandra J. Mordus
NOTARY PUBLIC
Sandra J. Mordus

SANDRA J MORDUS
NOTARY PUBLIC STATE OF INDIANA
LAKE COUNTY
MY COMMISSION EXP. APR. 14, 2008

EXHIBIT A

FLOWAGE EASEMENT (Occasional Flooding)

The perpetual right, power, privilege and easement occasionally to overflow, flood and submerge the land described in the attached exhibit A-1 in connection with the operation and maintenance of the Little Calumet River Basin Flood Control And Recreation Project as authorized by the Act of Congress approved under Section 401, Public Law 99-662, together with all right, title, and interest in and to the structures and improvements now situate on the land, except fencing; provided that no structures for human habitation shall be constructed or maintained on the land, that no other structure 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 landfill placed on the land without such approval as to the location and method of excavation and/or placement of landfill; 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 interfered with the use of the project for the purpose 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.



LEGAL DESCRIPTION:

Key No. 42-298-38

W. 54' of N1/2 of Lot 68 Carver Small Farms, Section 14, Township 36N,
Range 8W, Lake County, Gary, Indiana.

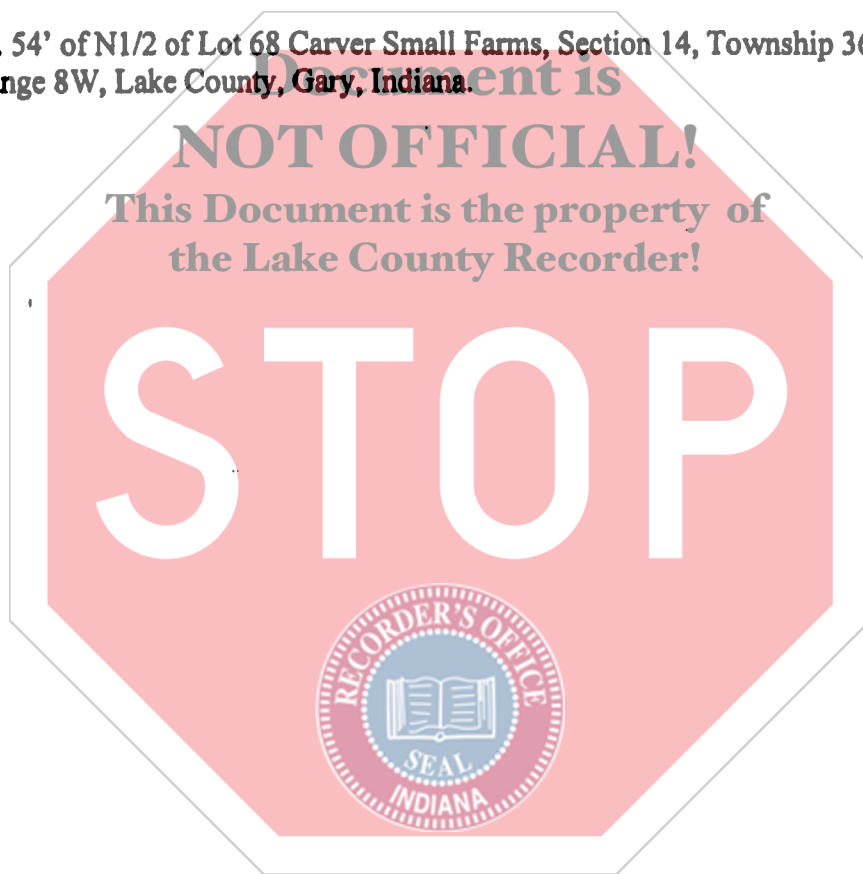


Exhibit "A-1"

COUNTY: LAKE O.
 SECTION: 14
 TOWNSHIP: 36 NORTH
 RANGE: 8 WEST
 DATE: JUNE 8, 1999

**EAST REACH REMEDIATION AREA
 CARVER SMALL FARMS
 (EASEMENTS)
 MISCELLANEOUS LOTS 37-115**

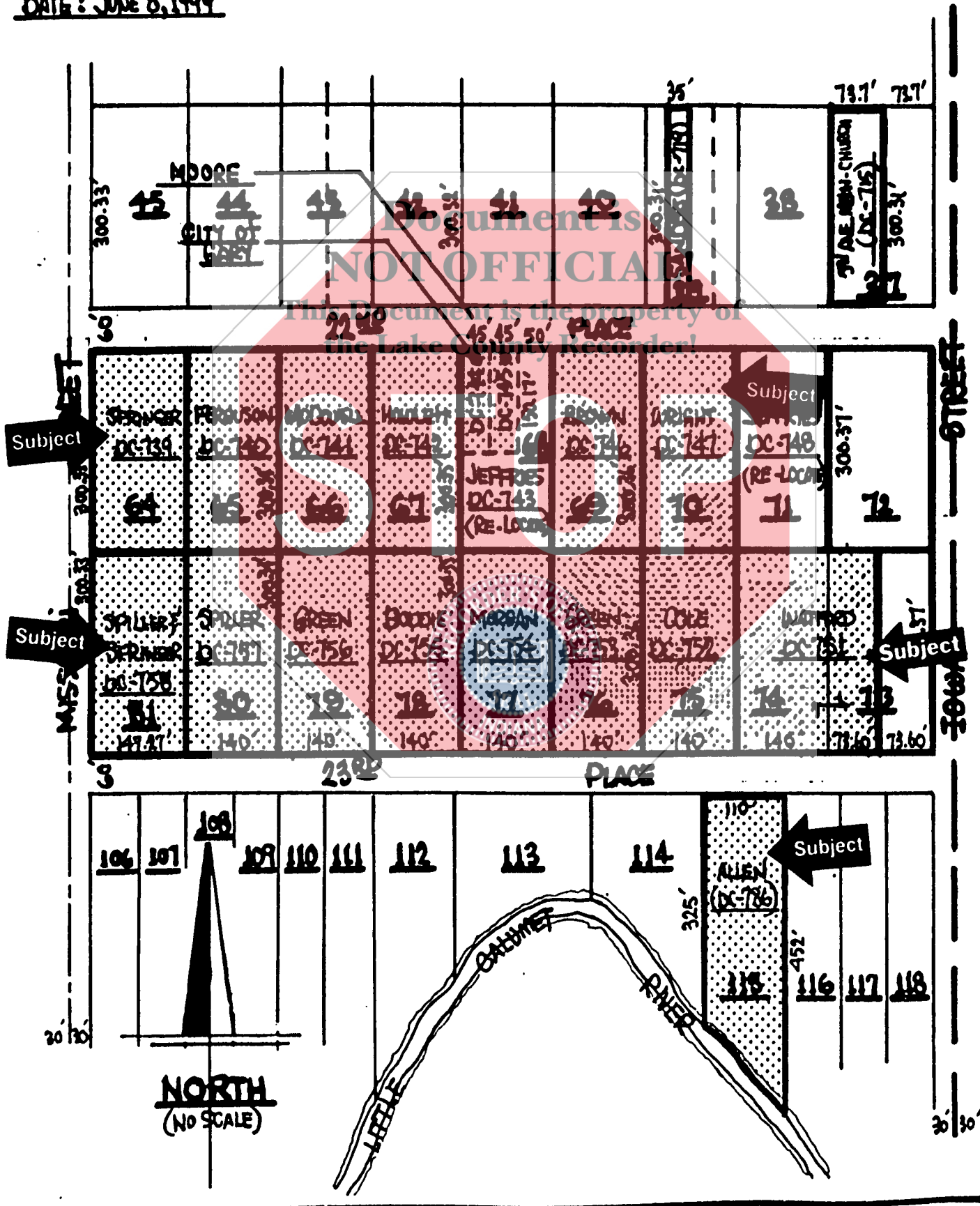


Exhibit "B"