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2002 041488 **UNIFORM EASEMENT ACQUISITION OFFER**

Judith J. Compasich
TOWN OF ST. JOHN
10955 W. 93RD STREET
ST. JOHN, INDIANA 46373

The St. John Board of Waterworks, is authorized by Indiana law to obtain your land or an easement across your land for certain public purposes. The St. John Board of Waterworks needs an easement across your land for installation of a public utility water line and needs to take a permanent easement on the property located at 12175 Wildwood Drive, St. John, Indiana, legally described as follows:

A parcel of real estate in Lot 9, Ahlborn's Resubdivision, a resubdivision of the East half of Lots 57,58,59,60,61 and the Southerly 330 feet of lots 62,63 and 64 on Pon and Co.'s St. John Acres to the Town of St. John, Lake County, Indiana recorded in Plat Book 29, page 94 in the Office of the Recorder of Lake County, Indiana and more particularly described as follows: Commencing at the Northwest Corner of Lot 9 for the Point of Beginning;

Thence: South 88°-10'-54" East along the North line of said Lot 9 a distance of 10.00 feet;

Thence: South 01°-49'-06" West parallel to the Westerly line of Lot 9 a distance of 130.10 feet;

Thence: North 88°-10'-54" West along the South line of said Lot 9 a distance of 10.00 feet;

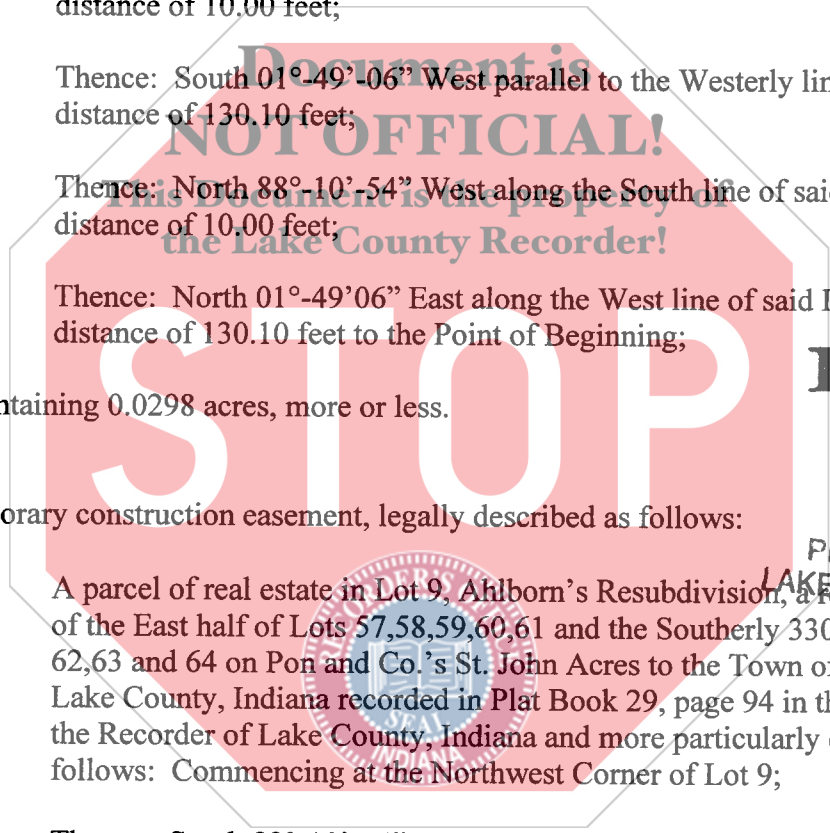
Thence: North 01°-49'06" East along the West line of said Lot 9 a distance of 130.10 feet to the Point of Beginning;

Containing 0.0298 acres, more or less.

and a temporary construction easement, legally described as follows:

A parcel of real estate in Lot 9, Ahlborn's Resubdivision, a resubdivision of the East half of Lots 57,58,59,60,61 and the Southerly 330 feet of lots 62,63 and 64 on Pon and Co.'s St. John Acres to the Town of St. John, Lake County, Indiana recorded in Plat Book 29, page 94 in the Office of the Recorder of Lake County, Indiana and more particularly described as follows: Commencing at the Northwest Corner of Lot 9;

Thence: South 88°-10'-54" East along the North line of said Lot 9 a distance of 10.00 feet to the Point of Beginning;



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MAY 2 2002

PETER BENJAMIN
LAKE COUNTY AUDITOR

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Thence: South 88°-10'-54" East along the North line of said Lot 9 a distance of 10.00 feet;

Thence: South 01°-49'-06" West parallel to the Westerly line of Lot 9 a distance of 130.10 feet;

Thence: North 88°-10'-54" West along the South line of said Lot 9 a distance of 10.00 feet;

Thence: North 01°-49'-06" East parallel to the Westerly line of said Lot 9 a distance of 130.10 feet to the Point of Beginning;

Containing 0.0298 acres, more or less.

It is our opinion that the fair market value of the easements we want to acquire from you is One Thousand Five Hundred Dollars (\$1,500.00), and, therefore, the St. John Board of Waterworks offers you, One Thousand Five Hundred Dollars (\$1,500.00) for the above-described easements. You have twenty-five (25) days from this date to accept or reject this offer. If you accept this offer, you may expect payment in full within ninety (90) days after signing the documents accepting this offer and executing the easements, and provided there are no difficulties in clearing liens or other problems with title to land. Possession will be required thirty (30) days after you have received your payment in full.

**This Document is the property of
the Lake County Recorder!**

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, the St. John Board of Waterworks is required to make a good faith effort to purchase easements across you property.
2. You do not have to accept this offer.
3. However, if you do not accept this offer, and we cannot come to an agreement on the acquisition of the easements, the St. John Board of Waterworks has the right to file suit to condemn and appropriate the easements in the county in which the real estate is located.
4. You have the right to seek advice of an attorney, real estate appraiser or any other person of your choice on this matter.
5. You may object to the public purpose and necessity of this project.

6. If the St. John Board of Waterworks files a suit to condemn and appropriate an easement, and the court grants its request to condemn, the court will then appoint three appraisers who will make an independent appraisal of the easements to be appropriated.
7. If we both agree with the court appraisers' report, then the matter is settled. However, if either of us disagrees with the appraisers' report to the court, either of us has the right to ask for a trial to decide what should be paid to you for the easements condemned.
8. If the court appraisers' report is not accepted by either of us, then the St. John Board of Waterworks has the legal option of depositing the amount of the court appraisers' evaluation with the court. And if such deposit is made with the court, the St. John Board of Waterworks is legally entitled to immediate possession of the easement. You may, subject to the approval of the court, make withdrawals from the amount deposited with the court. Your withdrawal will in no way affect the proceedings of your case in court, except that, if the final judgment awarded you is less than the withdrawal you have made from the amount deposited, you will be required to pay back to the court the amount of the withdrawal in excess of the amount of the final judgment.
9. The trial will decide the full amount of damages you are to receive. Both of us will be entitled to present legal evidence supporting our opinions of the fair market value of the easements. The court's decision may be more or less than this offer. You may employ, at your cost, appraisers and attorneys to represent you at this time or at any time during the course of the proceeding described in this notice.
10. If you have any questions concerning this matter you may contact us at:

St. John Municipal Building
10955 West 93rd Avenue
St. John, Indiana 46373
Telephone: (219) 365-4655

A similar offer was made to the following owner(s):


Albert E. Kropp,

NBD Bank Trust No. 275,

Thomasina Plikuhn of St. John,

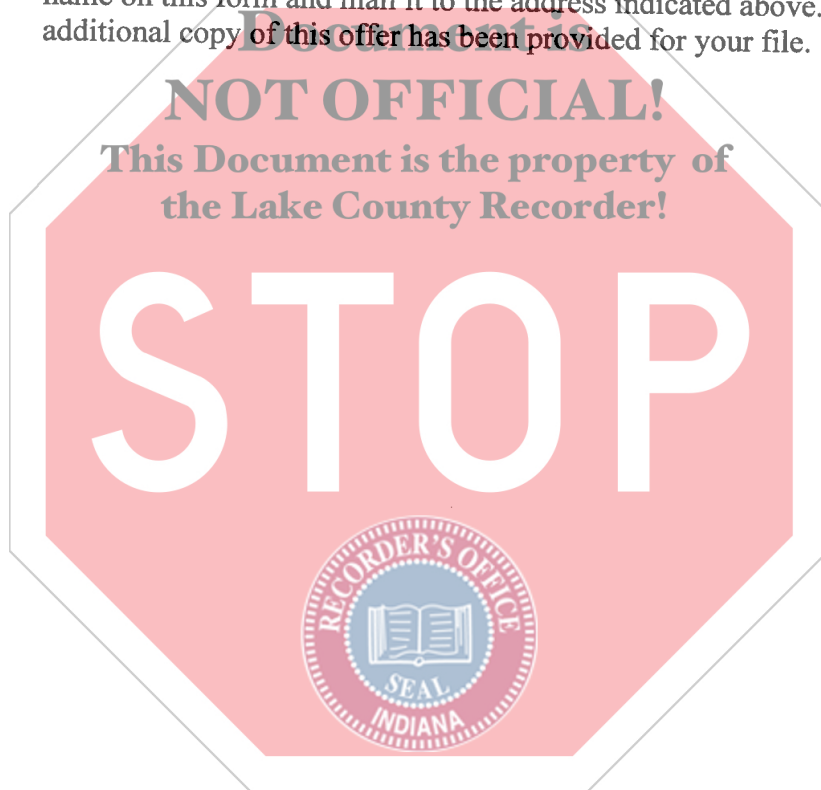
Lawrence P. Robinson & Patricia A. Robinson of St. John.

on the 11 day of April, 2002.

By 
Robert Pharazyn, Director of Public Works
Robert Pharazyn
(printed name)

Agent of: St. John Board of Waterworks

If you decide to accept the offer of One Thousand Five Hundred Dollars (\$1,500.00), made by the St. John Board of Waterworks sign your name on this form and mail it to the address indicated above. An additional copy of this offer has been provided for your file.



ACCEPTANCE OF OFFER

We, Willard E. Simanson and Katherine Simanson, landowner(s) of the above described property or interest in property, hereby accept the offer of One Thousand Five Hundred Dollars (\$1,500.00), made by St. John Board of Waterworks on this 11 day of April, 2002.

Willard Simanson
WILLARD E. SIMANSON

Katherine Simanson
KATHERINE SIMANSON

NOTARY'S CERTIFICATE

STATE OF INDIANA)

COUNTY OF LAKE)

Subscribed and sworn to before me on this 11 day of April, 2002.

My Commission Expires: 11/4/2009

Eunice L. Michalski
Notary Public

OFFICIAL NOTARY SEAL
EUNICE L. MICHALSKI
Notary Public, Lake County, Indiana
My commission expires Nov. 4, 2009

