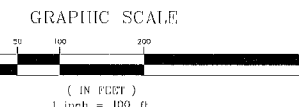


17.218 AC. FROM KEY 13-3-1 DUTY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

NOV 18 2002 NEW KEY 13-754-1 to 59 PETER BENJAMIN LAKE COUNTY AUDITOR LOTS 1 TO 6, 49 TO 66, 92 TO 96 & OUTLOT B

# BRIAR COVE SUBDIVISION PHASE 2 AN ADDITION TO THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA



AIRPORT ROAD (aka 213th STREET)

POINT OF BEGINNING: N 89°59'29" E 318.70' NORTH LINE OF THE NORTHWEST QUARTER OF 8-35-9

CONSERVATION EASEMENT

LOT 1 0.3630 AC. 16,840 S.F.

LOT 2 0.3322 AC. 14,469 S.F.

LOT 3 0.2288 AC. 10,316 S.F.

LOT 4 0.1710 AC. 7,817 S.F.

LOT 5 0.1941 AC. 8,583 S.F.

LOT 6 0.4812 AC. 21,091 S.F.

LOT 7 0.6191 AC. 28,363 S.F.

LOT 8 0.5088 AC. 23,278 S.F.

LOT 9 0.5063 AC. 23,068 S.F.

LOT 10 0.8202 AC. 37,616 S.F.

LOT 11 0.8974 AC. 40,920 S.F.

LOT 12 0.9412 AC. 43,614 S.F.

LOT 13 0.7357 AC. 34,019 S.F.

LOT 14 0.9088 AC. 41,865 S.F.

LOT 15 0.3322 AC. 15,469 S.F.

LOT 16 0.3322 AC. 15,469 S.F.

LOT 17 0.2877 AC. 13,231 S.F.

LOT 18 0.2877 AC. 13,231 S.F.

LOT 19 0.2877 AC. 13,231 S.F.

LOT 20 0.2877 AC. 13,231 S.F.

LOT 21 0.2877 AC. 13,231 S.F.

LOT 22 0.2877 AC. 13,231 S.F.

LOT 23 0.2877 AC. 13,231 S.F.

LOT 24 0.2877 AC. 13,231 S.F.

LOT 25 0.2877 AC. 13,231 S.F.

LOT 26 0.2877 AC. 13,231 S.F.

LOT 27 0.2877 AC. 13,231 S.F.

LOT 28 0.2877 AC. 13,231 S.F.

LOT 29 0.2877 AC. 13,231 S.F.

LOT 30 0.2877 AC. 13,231 S.F.

LOT 31 0.2877 AC. 13,231 S.F.

LOT 32 0.2877 AC. 13,231 S.F.

LOT 33 0.2877 AC. 13,231 S.F.

LOT 34 0.2877 AC. 13,231 S.F.

LOT 35 0.2877 AC. 13,231 S.F.

LOT 36 0.2877 AC. 13,231 S.F.

LOT 37 0.2877 AC. 13,231 S.F.

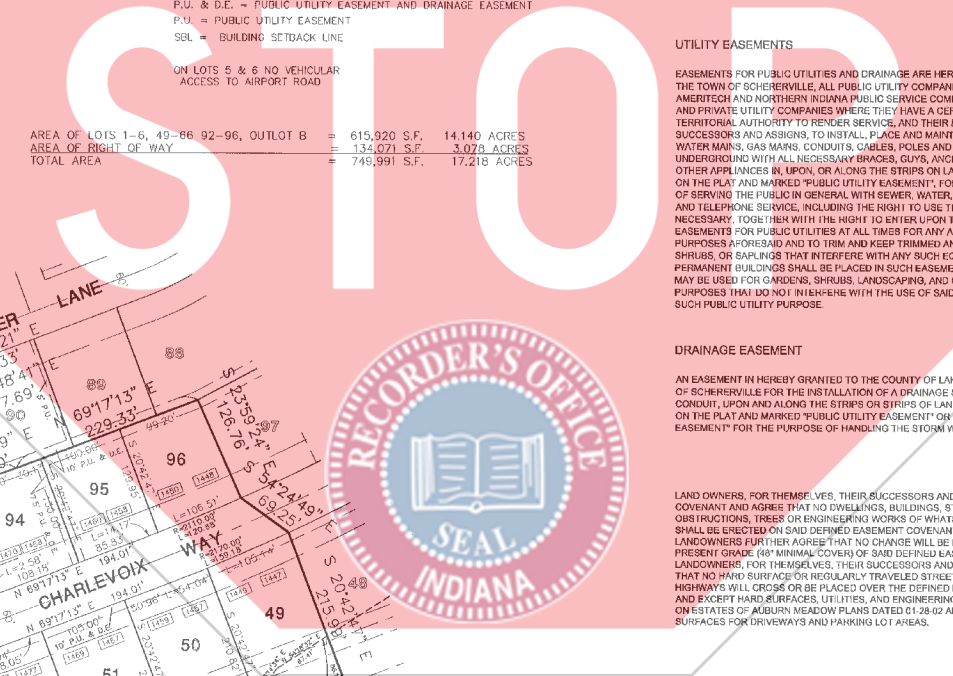
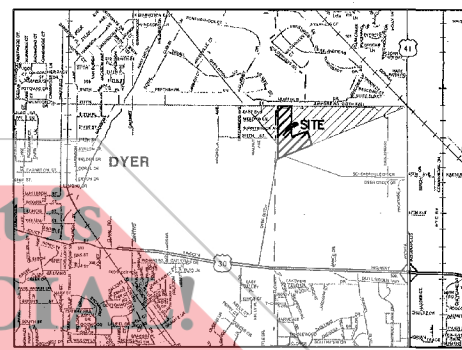
LOT 38 0.2877 AC. 13,231 S.F.

LOT 1	0.3630 AC.	16,840 S.F.
LOT 2	0.3322 AC.	14,469 S.F.
LOT 3	0.2288 AC.	10,316 S.F.
LOT 4	0.1710 AC.	7,817 S.F.
LOT 5	0.1941 AC.	8,583 S.F.
LOT 6	0.4812 AC.	21,091 S.F.
LOT 7	0.6191 AC.	28,363 S.F.
LOT 8	0.5088 AC.	23,278 S.F.
LOT 9	0.5063 AC.	23,068 S.F.
LOT 10	0.8202 AC.	37,616 S.F.
LOT 11	0.8974 AC.	40,920 S.F.
LOT 12	0.9412 AC.	43,614 S.F.
LOT 13	0.7357 AC.	34,019 S.F.
LOT 14	0.9088 AC.	41,865 S.F.
LOT 15	0.3322 AC.	15,469 S.F.
LOT 16	0.3322 AC.	15,469 S.F.
LOT 17	0.2877 AC.	13,231 S.F.
LOT 18	0.2877 AC.	13,231 S.F.
LOT 19	0.2877 AC.	13,231 S.F.
LOT 20	0.2877 AC.	13,231 S.F.
LOT 21	0.2877 AC.	13,231 S.F.
LOT 22	0.2877 AC.	13,231 S.F.
LOT 23	0.2877 AC.	13,231 S.F.
LOT 24	0.2877 AC.	13,231 S.F.
LOT 25	0.2877 AC.	13,231 S.F.
LOT 26	0.2877 AC.	13,231 S.F.
LOT 27	0.2877 AC.	13,231 S.F.
LOT 28	0.2877 AC.	13,231 S.F.
LOT 29	0.2877 AC.	13,231 S.F.
LOT 30	0.2877 AC.	13,231 S.F.
LOT 31	0.2877 AC.	13,231 S.F.
LOT 32	0.2877 AC.	13,231 S.F.
LOT 33	0.2877 AC.	13,231 S.F.
LOT 34	0.2877 AC.	13,231 S.F.
LOT 35	0.2877 AC.	13,231 S.F.
LOT 36	0.2877 AC.	13,231 S.F.
LOT 37	0.2877 AC.	13,231 S.F.
LOT 38	0.2877 AC.	13,231 S.F.
OUTLOT B	1.2124 AC.	52,614 S.F.

1228 = PROPERTY ADDRESS  
P.U. & D.E. = PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT  
P.U. = PUBLIC UTILITY EASEMENT  
SBL = BUILDING SETBACK LINE

ON LOTS 5 & 6 NO VEHICULAR ACCESS TO AIRPORT ROAD

AREA OF LOTS 1-6, 49-66 92-96, OUTLOT B = 615,920 S.F. 14,140 ACRES  
AREA OF RIGHT OF WAY = 13,071 S.F. 3,073 ACRES  
TOTAL AREA = 749,991 S.F. 17,218 ACRES



### UTILITY EASEMENTS

EASEMENTS FOR PUBLIC UTILITIES AND DRAINAGE ARE HEREBY GRANTED TO THE TOWN OF SCHERERVILLE, ALL PUBLIC UTILITY COMPANIES INCLUDING AMERITECH AND NORTHERN INDIANA PUBLIC SERVICE COMPANY SEVERALLY, AND PRIVATE UTILITY COMPANIES WHERE THEY HAVE A CERTIFICATE OF TERRITORIAL AUTHORITY TO RENDER SERVICE, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, PLACE AND MAINTAIN SEWERS, WATER MAINS, GAS MAINS, CONDUITS, CABLES, POLES AND WIRES, UNDERGROUND WITH ALL NECESSARY BRACES, GUYS, ANCHORS, AND OTHER APPLIANCES IN, UPON, OR ALONG THE STRIPS ON LAND DESIGNATED ON THE PLAT AND MARKED "PUBLIC UTILITY EASEMENT", FOR THE PURPOSE OF SERVING THE PUBLIC IN GENERAL, WITH SEWER, WATER, GAS, ELECTRIC AND TELEPHONE SERVICE, INCLUDING THE RIGHT TO USE THE STREETS AS NECESSARY, TOGETHER WITH THE RIGHT TO ENTER UPON THE SAID EASEMENTS FOR PUBLIC UTILITIES AT ALL TIMES FOR ANY AND ALL OF THE PURPOSES FORESAID AND TO TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE WITH ANY SUCH EQUIPMENT. NO PERMANENT BUILDINGS SHALL BE PLACED IN SUCH EASEMENT, BUT SOME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT FOR SUCH PUBLIC UTILITY PURPOSE.

### DRAINAGE EASEMENT

AN EASEMENT IS HEREBY GRANTED TO THE COUNTY OF LAKE AND THE TOWN OF SCHERERVILLE FOR THE INSTALLATION OF A DRAINAGE SWALE, DITCH, OR CONDUIT, UPON AND ALONG THE STRIPS OR STRIPS OF LAND DESIGNATED ON THE PLAT AND MARKED "PUBLIC UTILITY EASEMENT" OR "DRAINAGE EASEMENT" FOR THE PURPOSE OF HANDLING THE STORM WATER RUNOFF.

### LAND OWNERS, FOR THEMSELVES, THEIR SUCCESSORS AND ASSIGNS,

COVENANT AND AGREE THAT NO DWELLINGS, BUILDINGS, STRUCTURES, OBSTRUCTIONS, TREES OR ENGINEERING WORKS OF WHATSOEVER KIND SHALL BE ERECTED ON SAID DEFINED EASEMENT COVENANTS AND THE LANDOWNERS FURTHER AGREE THAT NO CHANGE WILL BE EFFECTED IN THE PRESENT GRADE (40' MINIMAL COVER) OF SAID DEFINED EASEMENT. LANDOWNERS, FOR THEMSELVES, THEIR SUCCESSORS AND ASSIGNS AGREE THAT NO HARD SURFACES OR REGULARLY TRAVELED STREETS, ROADS, OR HIGHWAYS WILL CROSS OR BE PLACED OVER THE DEFINED EASEMENT SAVE AND EXCEPT HARD SURFACES, UTILITIES, AND ENGINEERING WORKS SHOWN ON ESTATES OF AGRICULTURAL PLANS DATED 01-28-69 AND HARD SURFACES FOR DRIVEWAYS AND PARKING LOT AREAS.

### CONSERVATION EASEMENT PROVISIONS

THOSE AREAS DESIGNATED AS "CONSERVATION EASEMENT" AS DEPICTED ON THE PLAT OF SUBDIVISION FOR BRIAR COVE PHASE 2 IS SUBJECT TO THE BRIAR COVE DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS THAT ARE RECORDED AND AS AMENDED FROM TIME TO TIME.

### PLAN COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY INDIANA CODE 46-7-4-700 (SEC. 700-709), AS AMENDED FROM TIME TO TIME, AND AN ORDINANCE ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE TOWN OF SCHERERVILLE AS FOLLOWS:

APPROVED BY TOWN PLAN COMMISSION AT A MEETING HELD ON November 19, 2002  
PRESIDENT *[Signature]*  
SECRETARY *[Signature]*

### DEED OF DEDICATION

IT THE UNDERSIGNED, BRIAR COVE DEVELOPMENT LLC, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF PLAT AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS BRIAR COVE SUBDIVISION, AN ADDITION TO THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA. ALL STREETS, ALLEYS AND EASEMENTS SHOWN AND NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE TOWN OF SCHERERVILLE.

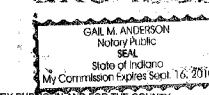
FRONT BUILDING SET-BACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT. THERE ARE STRIPS OF GROUND (5 AND 10) FEET IN WIDTH AS SHOWN ON THIS PLAT AND MARKED "EASEMENT", RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF WATER AND SEWER MAINS, POLES, CUTOFFS, LINES AND WIRES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREBY RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERECTED OR MAINTAINED UPON SAID STRIPS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF PUBLIC UTILITIES.

WHERE COVENANTS OR RESTRICTIONS ARE INSERTED IN ANY PLAT, THEY SHALL PROVIDE THAT INVALIDATION OF ANY ONE OF THE SAME BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER COVENANTS OR RESTRICTIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT. THE COVENANTS AND RESTRICTIONS SHALL FURTHER PROVIDE THE RIGHT TO ENFORCE THOSE PROVISIONS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL BY DUE PROCESS OF LAW, OF ANY STRUCTURE OR PART THEREOF ERECTED OR MAINTAINED IN VIOLATION THEREOF, IS HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS IN SAID SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

WITNESS OUR HANDS AND SEALS THIS 1 DAY OF NOV, 2002.

*[Signature]*  
FREDERICK A. CHENEY  
PRESIDENT OF P.O.D. ENTERPRISES INC  
ITS MANAGER

STATE OF INDIANA )  
                                  ) SS:  
TOWN OF SCHERERVILLE )



BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED *[Signature]*, AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION TO THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED. WITNESS MY HAND AND NOTARIAL SEAL THIS 1 DAY OF November, 2002.

NOTARY PUBLIC *[Signature]*  
RESIDENT OF Lake COUNTY.  
COMMISSION EXPIRES 9-16-10

### LEGAL DESCRIPTION

THAT PART OF THE NORTH 1/2 OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE 2ND PRINCIPAL MERIDIAN, IN THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 8, THENCE NORTH 89°59'29" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 8, A DISTANCE OF 318.70 FEET; THENCE SOUTH 05°30'29" EAST, A DISTANCE OF 223.52 FEET; THENCE SOUTH 04°29'28" WEST, A DISTANCE OF 61.62 FEET; THENCE SOUTH 01°11'27" EAST, A DISTANCE OF 646.53 FEET; THENCE SOUTH 07°18'53" EAST, A DISTANCE OF 80.01 FEET; THENCE SOUTH 05°30'29" EAST, A DISTANCE OF 127.33 FEET; THENCE NORTH 81°48'41" EAST, A DISTANCE OF 37.69 FEET; THENCE NORTH 70°51'49" EAST, A DISTANCE OF 68.20 FEET; THENCE NORTH 69°17'13" EAST, A DISTANCE OF 229.33 FEET; THENCE SOUTH 23°52'24" E, A DISTANCE OF 128.78 FEET; THENCE SOUTH 54°24'49" EAST, A DISTANCE OF 69.29 FEET; THENCE SOUTH 04°24'49" EAST, A DISTANCE OF 216.99 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF THE CONRAIL RAILROAD; THENCE SOUTH 69°17'13" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 266.20 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 8, THENCE NORTH 01°11'27" WEST ALONG SAID WEST LINE, A DISTANCE OF 1695.49 FEET TO THE PLACE OF BEGINNING.

### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF DUPAGE)

I, THOMAS E. HAGENSEE, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED UNDER THE LAWS OF THE STATE OF INDIANA, THAT I HAVE MADE A SURVEY OF THE LAND SHOWN AND DESCRIBED HEREON AND SUBDIVIDED SAME AS SHOWN ON THE PLAT HEREON DRAWN, THAT THIS PLAT CORRECTLY REPRESENTS SAID SURVEY AND THAT ALL DIMENSIONS, LINEAR AND ANGULAR ARE CORRECTLY SHOWN, AND THAT ALL MEASUREMENTS OR MARKERS SHOWN THEREON ACTUALLY EXIST AND THAT THEIR LOCATION, SIZE, TYPE AND DESCRIPTION ARE ACCURATELY SHOWN.

WITNESS MY HAND AND SEAL THIS 31 DAY OF October, A.D. 2002.  
*[Signature]*  
THOMAS E. HAGENSEE, PROFESSIONAL LAND SURVEYOR NO. 20100048



OWNER:  
BRIAR COVE DEVELOPMENT, LLC  
C/O OLTHOF HOMES  
1945 HARDER COURT  
SCHERERVILLE, IN 46375

DEVELOPER:  
BRIAR COVE DEVELOPMENT, LLC  
C/O OLTHOF HOMES  
1945 HARDER COURT  
SCHERERVILLE, IN 46375

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BRIAR COVE SUBDIVISION PHASE 2  
TOWN OF SCHERERVILLE, INDIANA  
PLAT OF SUBDIVISION

PROJ. MGR.: TCH  
PROJ. ENG.: WPS  
DRAWN BY: WPS  
CHECKED BY: TCH  
DATE: 09-17-02  
SCALE: 1" = 100'

SHEET 1 OF 1  
CHIDY2 3110