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2003 109475

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2003 OCT 10 AM 11:36

MORRIS W. CARTER  
RECORDER



**SBC INDIANA EXCLUSIVE EASEMENT**

CROSS REFERENCE TO:

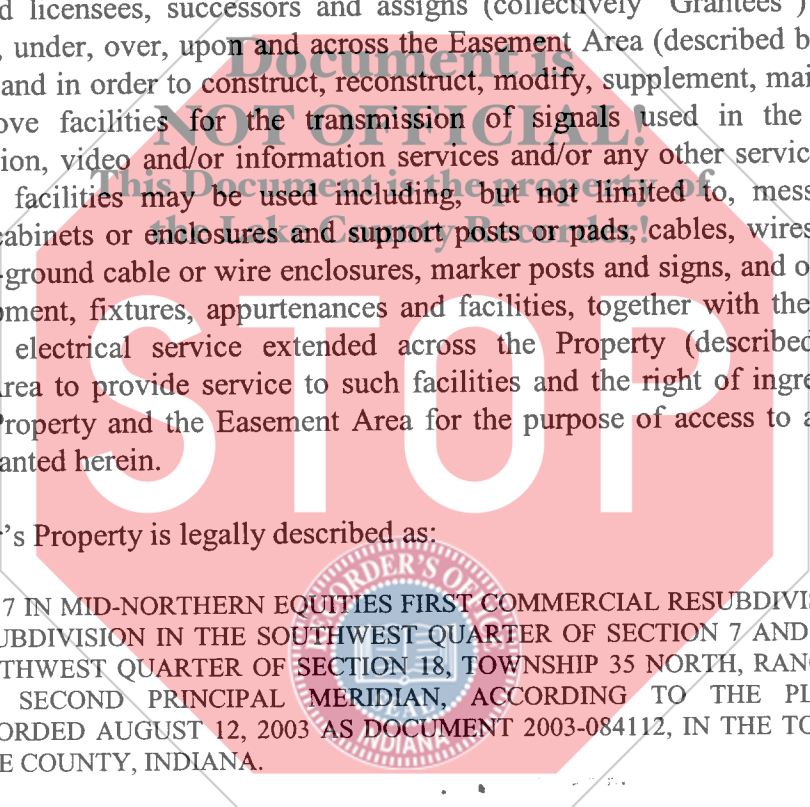
UNDERTAKING 8186146  
R/W REQUEST NUMBER 32995

EASEMENT 191378

For a valuable consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned (Grantor) hereby grants and conveys to Indiana Bell Telephone Company, Incorporated dba SBC Indiana, an Indiana Corporation, and its affiliates and licensees, successors and assigns (collectively "Grantees") an exclusive easement in, under, over, upon and across the Easement Area (described below), for the purposes of and in order to construct, reconstruct, modify, supplement, maintain, operate and/or remove facilities for the transmission of signals used in the provision of communication, video and/or information services and/or any other services or uses for which such facilities may be used including, but not limited to, messenger strand, equipment cabinets or enclosures and support posts or pads, cables, wires, pedestals or other above-ground cable or wire enclosures, marker posts and signs, and other related or useful equipment, fixtures, appurtenances and facilities, together with the right to have commercial electrical service extended across the Property (described below) and Easement Area to provide service to such facilities and the right of ingress and egress across the Property and the Easement Area for the purpose of access to and use of the easement granted herein.

The Grantor's Property is legally described as:

LOT 7 IN MID-NORTHERN EQUITIES FIRST COMMERCIAL RESUBDIVISION, BEING A RESUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 7 AND PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2003 AS DOCUMENT 2003-084112, IN THE TOWN OF DYER, LAKE COUNTY, INDIANA.



↓  
SBC Ameritech Telephone Co.  
Right-of-Way Dept.  
220 N. Meridian St. Room 303  
Indianapolis, In. 46204

**FILED**

OCT 9 2003 000899

STEPHEN R. STIGLICH  
LAKE COUNTY AUDITOR

16.00  
LP

5226

The Easement Area is legally described as:

THAT PART OF LOT 7 IN MID-NORTHERN EQUITIES FIRST COMMERCIAL RESUBDIVISION, BEING A RESUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 7 AND PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2003 AS DOCUMENT 2003-084112, IN THE TOWN OF DYER, LAKE COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 05 DEGREES 55 MINUTES 42 SECONDS WEST, 135.00 FEET ALONG THE WEST LINE OF SAID LOT 7; THENCE SOUTH 86 DEGREES 51 MINUTES 21 SECONDS EAST, 30.04 FEET TO A POINT ON A LINE 30.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 7, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 05 DEGREES 55 MINUTES 42 SECONDS EAST, ALONG SAID PARALLEL LINE, 30.00 FEET; THENCE SOUTH 84 DEGREES 04 MINUTES 18 SECONDS EAST, 15.00 FEET TO A POINT ON A LINE 45.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF LOT 7; THENCE SOUTH 05 DEGREES 55 MINUTES 42 SECONDS WEST, ALONG SAID PARALLEL LINE, 30.00 FEET; THENCE NORTH 84 DEGREES 04 MINUTES 18 SECONDS WEST, 15.00 FEET TO THE POINT OF BEGINNING.

The Easement Area is also shown graphically on the attached Exhibit "A"

The Grantor represents and warrants to the Grantee that Grantor is the true and lawful owner of the Property and has full right and power to grant and convey the rights conveyed herein.

The Grantee hereby agrees to restore all property disturbed by its activities in use of the easement to the condition existing prior to the disturbance.

The Grantee shall have the right to remove or trim such trees and brush in the Easement Area as is necessary to exercise the rights conveyed herein.

The Grantor shall not construct improvements in the Easement Area or change the finish grade of the Easement Area without the consent of the Grantee.

The Grantor agrees that, due to the exclusive nature of the grant herein conveyed, no other use of the Easement Area shall be made by anyone, including Grantor, without the consent of the Grantee.

This Easement is binding upon and shall inure to the benefit of the heirs, successors, assigns, and licensees of the parties hereto.

With our hands this 23 day of September, A.D., 2003,

at COOK County, ILLINOIS.

GRANTOR: Dyer Retail, L.L.C.

By: [Signature]

Attest: [Signature]

Title: Manager  
Printed: William A. Shiner

Title: Member  
Printed: Marcy S. Edidin

State of Illinois

County of Cook

Personally appeared before me, a Notary Public, in and for said County and State, this 23<sup>rd</sup> day of September, A.D., 2003, William A. Shiner, of Dyer Retail, L.L.C. Who acknowledged the execution of the above easement.

"OFFICIAL SEAL"  
KRISTINE KALLMAN  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 10/7/2006

[Signature]

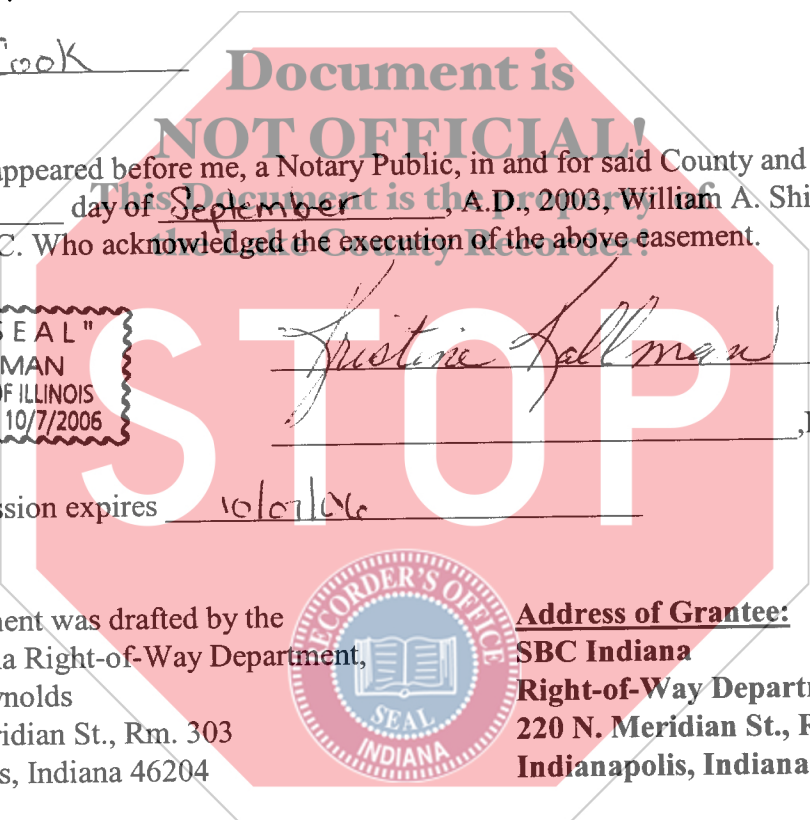
Notary Public

My commission expires 10/07/06

This document was drafted by the  
SBC Indiana Right-of-Way Department,  
Brenda Reynolds  
220 N. Meridian St., Rm. 303  
Indianapolis, Indiana 46204

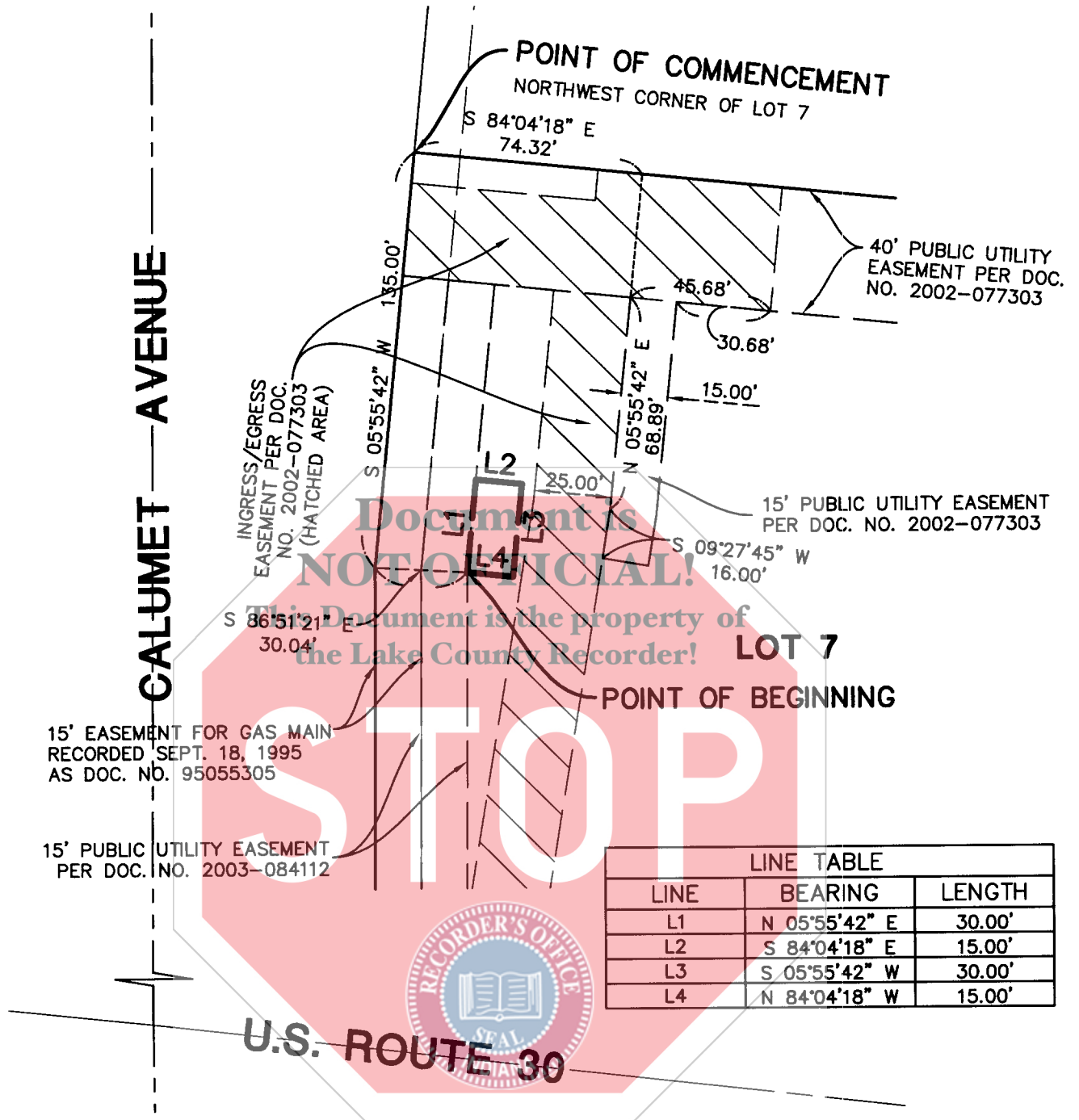


**Address of Grantee:**  
**SBC Indiana**  
**Right-of-Way Department**  
**220 N. Meridian St., Rm. 303**  
**Indianapolis, Indiana 46204**

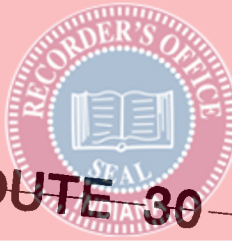


# EXHIBIT "A"

## SBC EASEMENT



LINE TABLE		
LINE	BEARING	LENGTH
L1	N 05°55'42" E	30.00'
L2	S 84°04'18" E	15.00'
L3	S 05°55'42" W	30.00'
L4	N 84°04'18" W	15.00'



<b>SBC EASEMENT</b>	<b>DYER, ILLINOIS</b>	<b>EXHIBIT 'A'</b>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="font-size: small;">PROJ. MGR.</td><td style="font-size: small;">T.J.M.</td></tr> <tr><td style="font-size: small;">DRAWN BY</td><td style="font-size: small;">R.Y.B.</td></tr> <tr><td style="font-size: small;">DATE</td><td style="font-size: small;">09/22/03</td></tr> <tr><td style="font-size: small;">SCALE</td><td style="font-size: small;">1"=50'</td></tr> </table>	PROJ. MGR.	T.J.M.	DRAWN BY	R.Y.B.	DATE	09/22/03	SCALE	1"=50'		<p style="font-weight: bold; font-size: 1.2em;">MANHARD CONSULTING LTD.</p> <p style="font-size: 0.8em;">ENGINEERS · SURVEYORS · PLANNERS</p> <p style="font-size: 0.7em;">ENVIRONMENTAL SCIENTISTS</p> <p style="font-size: 0.6em;">900 Woodlands Parkway Vernon Hills, Illinois 60061</p> <p style="font-size: 0.6em;">tel: 847/634-5550 fax: 847/634-0095 http://www.MANHARD.com</p>	<p style="font-size: 0.8em;">SHEET</p> <p style="font-size: 2em; font-weight: bold;">3 OF 4</p> <p style="font-size: 0.8em;">MNEDIYI 2246</p>
PROJ. MGR.	T.J.M.										
DRAWN BY	R.Y.B.										
DATE	09/22/03										
SCALE	1"=50'										

Dwg Name: P:\mmedy\yung\Surv\Final Drawings\ExhibitA\_Surv\SBC\_Exhibit.dwg Updated By: rprospect Sept. 22, 2003 - 16:42