

A

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2005 000104

2005 JAN -4 AM 10:24

**SBC INDIANA EASEMENT**

MICHAEL A. BROWN  
RECORDER

CROSS REFERENCE TO: Instrument# 2003056363

UNDERTAKING 5350597 EASEMENT 194336

R/W REQUEST NUMBER 34802

For a valuable consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned V3 Lake Hills, LLC (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, 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.

**FILED**

JAN 4 2005

**STEPHEN R. STIGLICH  
LAKE COUNTY AUDITOR**

The Property is legally described as:

Part of the Southeast ¼ of Section 28, Township 35 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian, in Lake County, Indiana, described as follows: Commencing 8 chains 37-1/2 links West of the Southeast corner of said quarter section; thence West 2 chains and 16 links; thence North 48-1/2 degrees West, 6 chains and 15 links; thence North 36 chains and 9 links; thence East 6 chains and 91 links; thence South 40 chains to the place of beginning, EXCEPTING that part tying South of the North line of the public highway.

*(This description is quoted Instrument #2003056363, in the Office of the Recorder of Lake County).*

The Easement Area is legally described as:

**EXCLUSIVE EASEMENT DESCRIPTION:** A part of Parcel number 16 as conveyed to V3 Lake Hills, L.L.C. and recorded in deed record 2003 056363 at the Recorder's Office of Lake County, Indiana situated in the Southeast Quarter of Section 28, Township 35 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian, being more particularly described as follows:

1500  
41

000072

Commencing at the northwest corner of the intersection of 60-foot wide 93<sup>rd</sup> Avenue and proposed 60-foot wide Lake Street (known as Deodor Street); thence North 88 degree 48 minutes 18 seconds West (recorded basis of bearings) along the northerly line of said 93<sup>rd</sup> Avenue, 10.01 feet; thence North 01 degree 21 minutes 03 seconds West parallel with the westerly line of said Lake Street, 480.00 feet and the POINT OF BEGINNING; thence South 88 degrees 38 minutes 57 seconds West, 20.00 feet; thence North 01 degree 21 minutes 03 seconds West parallel with said westerly line of Lake Street, 30.00 feet; thence North 88 degrees 38 minutes 57 seconds East, 20.00 feet; thence South 01 degree 21 minutes 03 seconds East parallel with the westerly line of said Lake Street, 30.00 feet to the point of beginning. Containing 600.00 square feet (0.01 acre), more or less.

Subject to all easements, rights of way and restrictions of record.

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.

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

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 agrees that, due to the exclusive nature of the grant herein conveyed, no other use of the Exclusive portion 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 10<sup>th</sup> day of December, 2004, at DuPage County, Indiana IL

GRANTOR: V3 Lake Hills, LLC

BY: V3 REALTY COMPANY LLC  
ITS: MANAGER

By: BP: Brian Blackmore

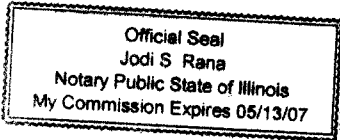
Title: VICE PRESIDENT

Printed: BRIAN BLACKMORE

State of Illinois  
County of COOK

Personally appeared before me, a Notary Public, in and for said County and State,  
this 10<sup>th</sup> day of December, 2004

Who acknowledged the execution of the above easement.



Jodi S. Rana, Notary Public

Jodi S. Rana, Notary Printed

My commission expires: 5/13/07 My County of Residence: Clark

This document was drafted by the  
SBC Indiana Right-of-Way Department,  
Scott Ostermeier  
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"**  
**PROPOSED EXCLUSIVE EASEMENT**

**LEGEND:**

- IPF IRON PIPE FOUND
- OD OUTSIDE DIAMETER
- ISF IRON STAKE/CAP FOUND
- IRS 5/8" REBAR SET/CAP
- R RECORDED
- M MEASURED
- RC REFERENCE CORNER
- RL REFERENCE LINE
- DR DEED RECORD
- PG PAGE

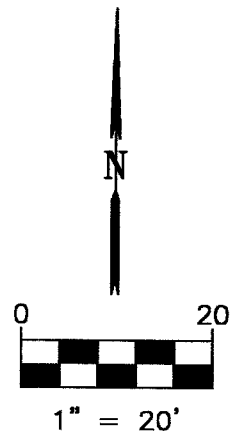
AREA = 600.00 SQ. FT. (0.01 AC. ±)

DATE: NOVEMBER 10, 2004

THIS PLAT WAS PREPARED FROM DOCUMENTATION RECORDED  
AT THE RECORDERS OFFICE OF LAKE COUNTY, INDIANA  
AND MEASURED BY FIELD SURVEY.

**DENOTES:**

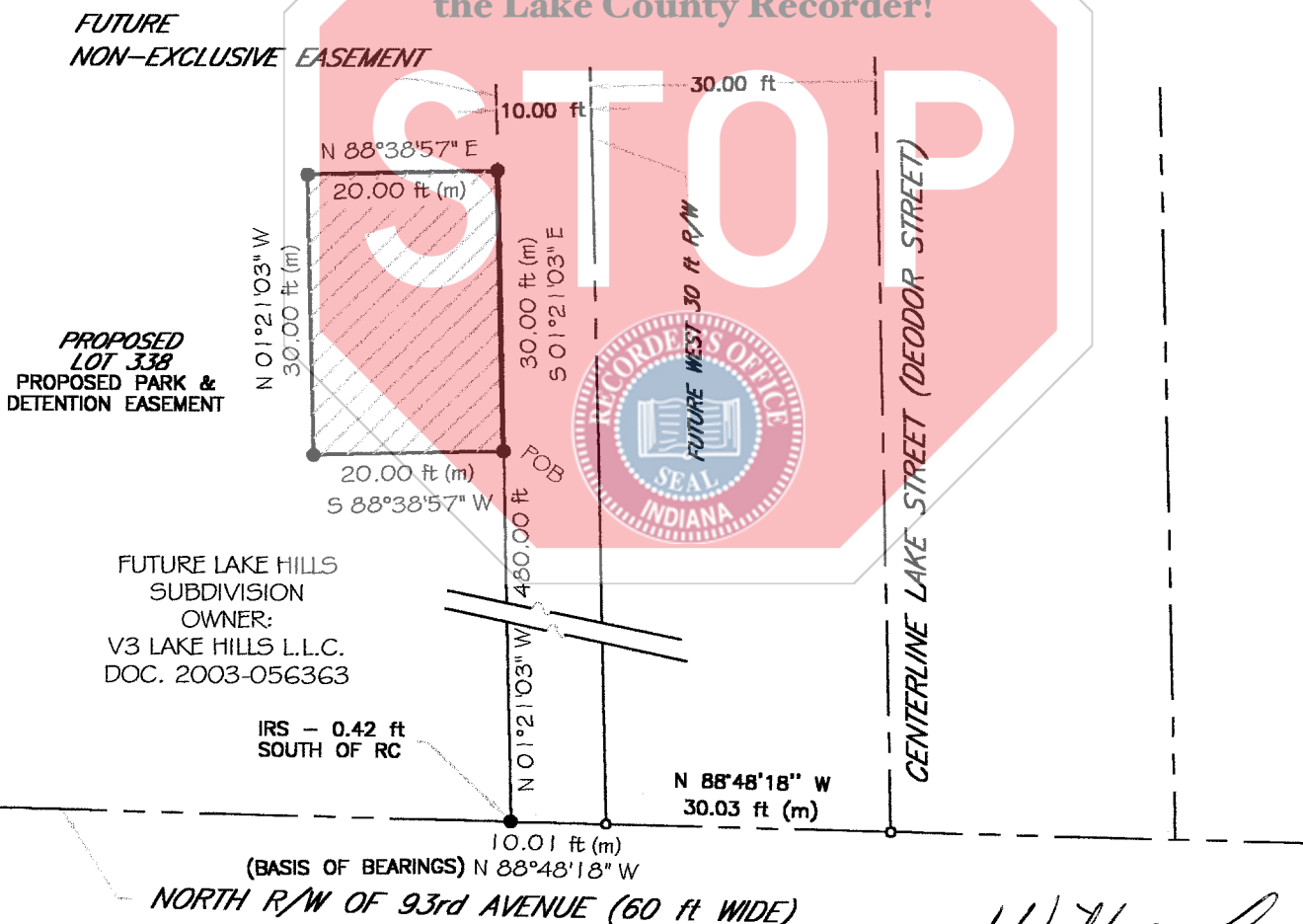
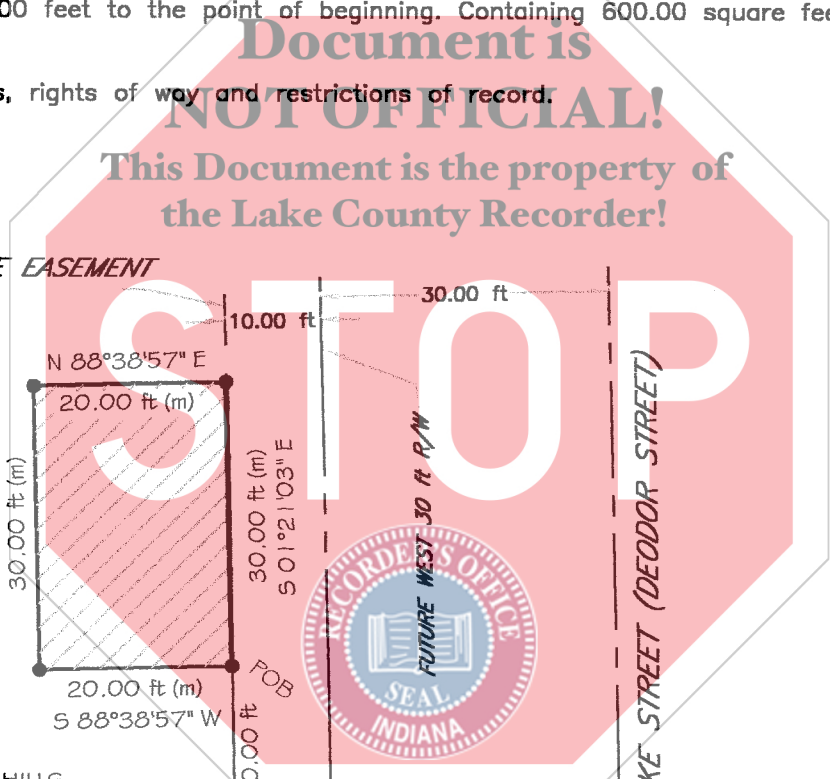
- 5/8 INCH DIAMETER REBAR STAKE  
SET WITH ORANGE CAP STAMPED  
SBC EASEMENT (EASE)



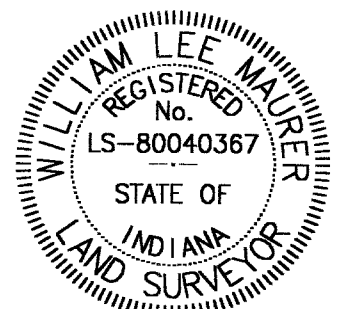
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Commencing at the northwest corner of the intersection of 60-foot wide 93rd Avenue and proposed 60-foot wide Lake Street (known as Deodor Street); thence North 88 degree 48 minutes 18 seconds West (recorded basis of bearings) along the northerly line of said 93rd Avenue, 10.01 feet; thence North 01 degree 21 minutes 03 seconds West parallel with the westerly line of said Lake Street, 480.00 feet and the POINT OF BEGINNING; thence South 88 degrees 38 minutes 57 seconds West, 20.00 feet; thence North 01 degree 21 minutes 03 seconds West parallel with said westerly line of Lake Street, 30.00 feet; thence North 88 degrees 38 minutes 57 seconds East, 20.00 feet; thence South 01 degree 21 minutes 03 seconds East parallel with the westerly line of said Lake Street, 30.00 feet to the point of beginning. Containing 600.00 square feet (0.01 acre), more or less.

Subject to all easements, rights of way and restrictions of record.



*William Lee Maurer*  
WILLIAM LEE MAURER  
INDIANA L.S. No. 80040367  
DATE: DECEMBER 22, 2004



PREPARED BY:  
**KAMTEL, INC.**  
321 19th STREET SOUTH  
WISCONSIN RAPIDS, WI. 54494  
PHONE: (262) 644 7820  
FAX: (262) 644 0817

PREPARED FOR:  
**SBC AMERITECH**  
EXCLUSIVE EASEMENT  
WORK ORDER: # 5350597  
EXCH. # N42141 ST. JOHN, IN.