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DEDICATION FOR RIGHT OF WAY AND UTILITY EASEMENT

THIS INDENTURE WITNESSETH that the Grantor, Northern Indiana Public Service Company, an Indiana Corporation, authorized to transact business in the State of Indiana, in consideration of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, hereby dedicates for public use as a road in the County of Lake, Indiana, a non-exclusive easement in, on, upon along, and over the real estate owned by the Grantor in fee simple, described as follows:

Part of SE 1/4 of the NW 1/4 of Section 4, Township 34 North, Range 8 West of the 2nd P.M. in Lake County, Indiana; described as follows: Beginning at a point on the North line of the SE 1/4 of said NW 1/4, said point being 528.60 feet West of the Northeast corner thereof; thence South 00°05'54" West, 125.00 feet to the South line of the North 125 feet of the SE 1/4 of said NW 1/4; thence North 89°54'06" West, along said South line, 60.00 feet; thence North 00°05'54" East, 125 feet to the North line of said SE 1/4 of said NW 1/4; thence South 89°54'06" East, 60.00 feet to the point of beginning, containing 0.172 acres more or less.

Deed Reference: Book 963 Page 537 & Book 963 Page 540

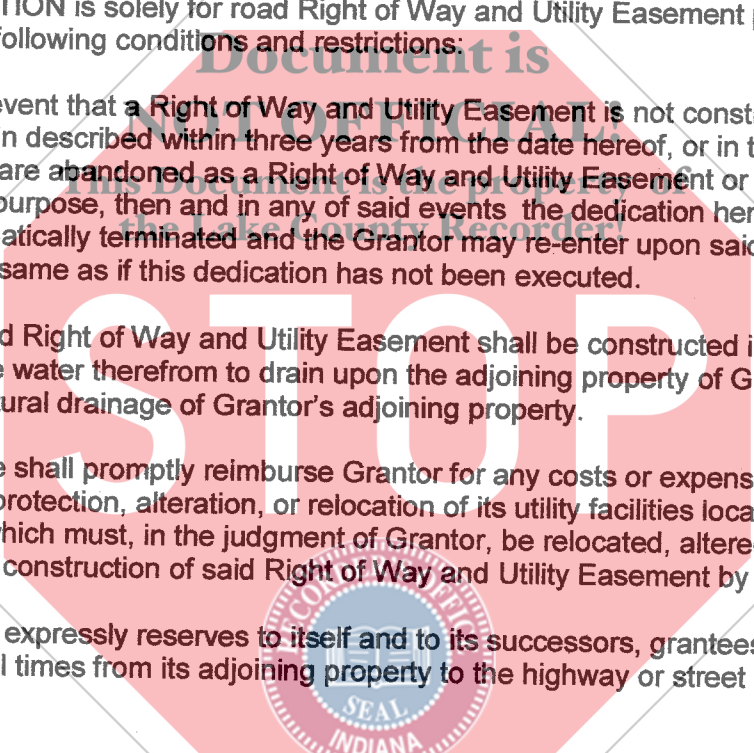
THIS DEDICATION is solely for road Right of Way and Utility Easement purposes and is subject to the following conditions and restrictions:

- (a) In the event that a Right of Way and Utility Easement is not constructed over the premises herein described within three years from the date hereof, or in the event that said premises are abandoned as a Right of Way and Utility Easement or cease to be used for such purpose, then and in any of said events the dedication herein shall be and become automatically terminated and the Grantor may re-enter upon said premises and repossess the same as if this dedication has not been executed.
- (b) The said Right of Way and Utility Easement shall be constructed in such manner as not to cause water therefrom to drain upon the adjoining property of Grantor, or prevent the natural drainage of Grantor's adjoining property.
- (c) Grantee shall promptly reimburse Grantor for any costs or expenses incurred by Grantor in the protection, alteration, or relocation of its utility facilities located on or near said property which must, in the judgment of Grantor, be relocated, altered or protected because of the construction of said Right of Way and Utility Easement by Grantee.
- (d) Grantor expressly reserves to itself and to its successors, grantees and assigns full access at all times from its adjoining property to the highway or street as actually constructed.
- (e) Grantor hereby expressly reserves to itself and to its successors and assigns the right to construct, install, maintain, repair and remove any underground or overhead utility facilities of any nature whatsoever along, through, over or under the premises herein described, it being understood and agreed that any such installation shall be constructed and maintained in conformance with the laws of the State of Indiana and the

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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD



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JAN 27 2005
STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR 001408

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801 E. 86th AVE
MERRILLVILLE, IN 46410

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rules and regulations of any governmental authority having jurisdiction of said Right of Way and Utility Easement located thereon.

(f) Said grant is subject to the rights of any parties arising under any easement, licenses or agreement, whether recorded or unrecorded, and to the use and maintenance of any underground or overhead facility now laid out or constructed on, under, along or through the premises herein described.

(g) It is understood by and between the parties hereto that the Grantor presently has and may from time to time in the future install additional utility facilities above and below the surface of the above described real estate and in the event the Grantee, or anyone acting under Grantee's permission or authority, shall construct any sewers, water mains or any other appurtenances above or below the surface of said real estate then all such facilities shall be constructed in accordance with the laws, codes or regulations pertaining thereto; particularly in connection with the separation or clearance between Grantor's existing facilities and any such new facilities to be constructed.

IN WITNESS WHEREOF, Northern Indiana Public Service Company has caused this instrument to be executed in its corporate name by its Vice President this 24th day of November, 2004.

NORTHERN INDIANA PUBLIC SERVICE COMPANY

Document is

By: Gail W. Harowski

Gail W. Harowski - Vice President

This Document is the property of
the Lake County Recorder!

Accepted this 24 day of November, 2004.

CROWN POINT BOARD OF PUBLIC
WORKS & SAFETY

By: Daniel M. Klein

By: MEMBER, Mayor Dan Klein

By: Tim Walsh
By: MEMBER, Tim Walsh

By: MEMBER, Mike Conquest