

GRANT OF EASEMENT

This Indenture Witnesseth that Lee Magiera, as Trustee of the Lee Magiera Revocable Trust dated August 31, 1994 and Matt H. Sheafer, as Trustee of the Matt H. Sheafer Revocable Trust dated March 10, 1993, as tenants in common, are the owners of the following described real estate, in the City of Crown Point, County of Lake, State of Indiana, to-wit:

The East 230 feet of the West 2263.25 feet of that part of the Southwest 1/4 of Section 4, Township 34 North, Range 8 West of the 2nd Principal Meridian in the City of Crown Point, lying Northerly of the Northeasterly right-of-way line of the Chicago & Erie Railroad, all in Lake County, Indiana.

The aforementioned owners, for and in consideration of \$10.00, and other good and valuable consideration, hereby grant to Crown Point Ventures III, an Indiana Limited Liability Company, its respective successors and assigns:

1. An easement to install, lay, construct, renew and operate, repair, replace and maintain sanitary sewer lines, water mains, and storm sewers, along with all necessary manholes, catch basins, inlets, pipe valves, tees, hydrants and connections.
2. An easement to install, lay, erect, construct, renew, operate, repair, replace, and maintain public utilities including gas, electric, cable, telephone and fiber optic conduits, cables, poles, and wires either overhead or underground together with all necessary bracings, guys, anchors, and other appliances.
3. An easement for ingress and egress including all owners, tenants, servants, visitors, and licensees in common with all others having the like right, at all times hereinafter, with or without vehicles of any description, equipment, or on foot for all purposes connected with the use and enjoyment of said land, to pass and re-pass along said easement for the purpose of coming and going to and from a public street known as Summit Street.

All in, upon, along and over a parcel of land described as:

PART OF THE EAST 230 FEET OF THE WEST 2263.25 FEET OF THAT PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 34 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF CROWN POINT, LYING NORTHERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE

FILED

¹
JAN 28 2005

STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR

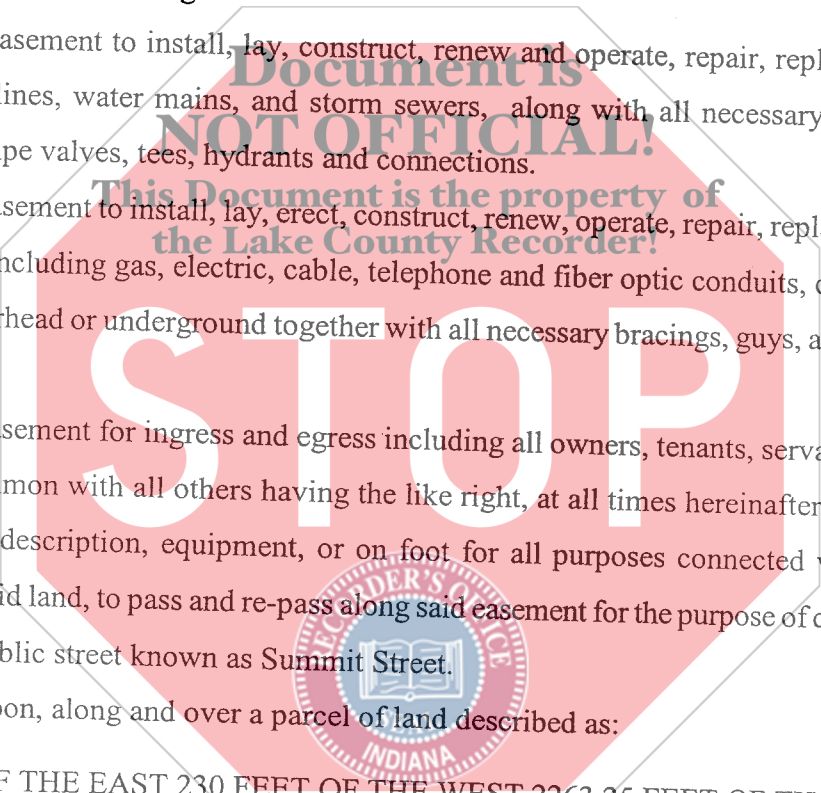
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STATE OF INDIANA
LAKE COUNTY
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9-301-16 (23)

OF THE CHICAGO & ERIE RAILROAD, IN LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE ABOVE-DESCRIBED TRACT, SAID POINT BEING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 2263.25 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 4 (AS MEASURED ALONG THE NORTH LINE THEREOF), SAID POINT ALSO BEING THE NORTHWEST CORNER OF CENTER INDUSTRIAL PARK, RECORDED IN PLAT BOOK 53, PAGE 55, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 49 MINUTES 19 SECONDS EAST, 58.27 FEET TO A POINT ON THE SOUTH LINE OF THE EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET DESCRIBED IN DOCUMENT NO. 093013, IN SAID RECORDER'S OFFICE, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 49 MINUTES 19 SECONDS EAST, 534.25 FEET ALONG SAID WEST LINE; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 50.01 FEET; THENCE NORTH 00 DEGREES 49 MINUTES 19 SECONDS WEST, 534.18 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 54 SECONDS EAST, 50.00 FEET ALONG THE SOUTH LINE OF SAID EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET TO THE POINT OF BEGINNING.

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together with the right to enter upon the said easement at all times for any and all of the purposes aforesaid. The grantees further warrant, that no permanent buildings shall be placed on said easement, nor may the same may be used for any other purpose that interferes with the use of said easement for such purposes.

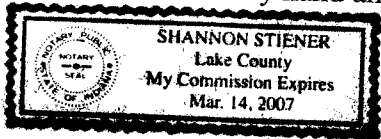
It is understood and agreed by and between the grantor and grantee of the easements herein above set forth that each due hereby assume and agree to pay one-half ($\frac{1}{2}$) of the cost of maintenance of such easement particularly the easement for ingress and egress over the easements herein granted.

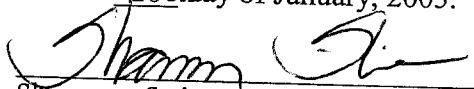
The invalidation of any one of the easement rights herein above set forth by judgment or court order shall in way affect any of the other easement rights which shall remain in full force and effect. The right to enforce these easements and provisions by injunction, together with the right to cause the removal, by due process of law of any structure or part thereof erected or maintained in violation thereof, is hereby reserved to the grantor, Crown Point Ventures III, LLC, its heirs, successors and assigns.

STATE OF INDIANA)
)SS:
COUNTY OF LAKE)

Before me, a Notary Public, in and for said County and State, this 26 day of January, 2005, personally appeared MATT H. SHEAFER as Trustee of the Matt H. Sheaffer Revocable Trust dated March 10, 1993, who acknowledged the execution of the foregoing instrument as his free and voluntary act of said Trust, and as his free and voluntary act, acting as Trustee.

GIVEN under my hand and notarial seal this 26th day of January, 2005.

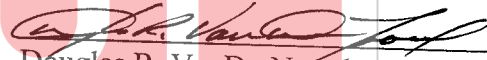



Shannon Stiener Notary Public

My Commission Expires: 3-14-07 County of Residence: Lake

IN WITNESS WHEREOF, the said CROWN POINT VENTURES III, LLC has caused this Grant of Easement, to be signed by its Assistant Chief Executive Officer, and attested by its Chief Financial Officer, and its corporate seal to be hereunto affixed this 26th day of January, 2005.

Crown Point Ventures III, LLC

BY: 
Douglas R. VanDerNoord
Assistant Chief Executive Officer

ATTEST

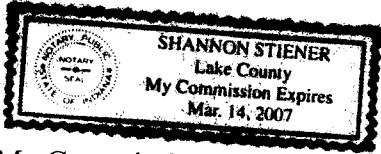
Rick Mossell
Chief Financial Officer

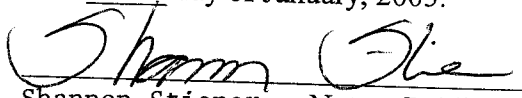


STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Douglas R. VanDerNoord, Assistant Chief Executive Officer of Crown Point Ventures III, LLC, an Indiana Limited Liability Company and Rick Mossell, to me known to be such Chief Financial Officer of said LLC and acknowledged the execution of the foregoing Grant of Easement for and on behalf of said Company and by its authority.

WITNESS my hand and Notarial seal this 26th day of January, 2005.




Shannon Stiener Notary Public

My Commission Expires: 3-14-07

County of Residence: Lake

Prepared By: MICHAEL L. MUENICH
Attorney at Law
3235 - 45th Street
Highland, Indiana 46322
219/922-4141

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