

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2005 046091

2005 JUN - 6 AM 10: 24

SBC INDIANA EASEMENT

MICHAEL A. BROWN  
RECORDER

CROSS REFERENCE TO: Inst.#890575

UNDERTAKING 5400142 EASEMENT 195096

R/W REQUEST NUMBER 35003

For a valuable consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned The Rector, Wardens and Vestrymen of St. Timothy's Episcopal Church of Griffith, Indiana (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, poles, guys, anchors, and 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 Property is legally described as:

The South Five (5) acres of the North Eighteen (18) acres of the West Half of the Northwest Quarter of the Southwest Quarter of Section Twenty-six (26) in Township Thirty-six (36) North of Range Nine (9) West in the Town of Griffith, Lake County, Indiana.

*(This description is quoted from, Instrument #890575, in the Office of the Recorder of Lake County, Indiana).*

The Exclusive Easement Area is legally described as:

BEGINNING at the southwest corner of said St. Timothy's Episcopal Church parcel, said corner being 1452.96 feet North 00 degrees 00 minutes 00 seconds East (recorded basis of bearings) from the southwest corner of said Southwest Quarter of Section 26; thence South 89 degrees 48 minutes 28 seconds East along the south line of said church parcel, 40.00 feet to the easterly right of way of Cline

FILED

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STEPHEN R. STIGLICH  
LAKE COUNTY AUDITOR

1700  
CH 4756  
00530

Avenue, marked by a 1 inch outside diameter iron pipe for the POINT OF BEGINNING; thence North 00 degrees 00 minutes 00 seconds East along said easterly right of way, 20.00 feet; thence South 89 degrees 48 minutes 28 seconds East, 20.00 feet; thence South 00 degrees 00 minutes 00 seconds West parallel said easterly line of Cline Avenue, 20.00 feet to the south line of said church parcel; thence North 89 degrees 48 minutes 28 seconds West along said south line, 20.00 feet to the point of beginning. Containing 400.00 square feet (0.01 acre), more or less.

The Non-Exclusive Easement Area is legally described as:

BEGINNING at the southwest corner of said St. Timothy's Episcopal Church parcel, said corner being 1452.96 feet North 00 degrees 00 minutes 00 seconds East (recorded basis of bearings) from the southwest corner of said Southwest Quarter of Section 26; thence South 89 degrees 48 minutes 28 seconds East along the south line of said church parcel, 40.00 feet to the easterly right of way of Cline Avenue, marked by a 1 inch outside diameter iron pipe; thence North 00 degrees 00 minutes 00 seconds East along said easterly right of way, 20.00 feet; thence North 89 degrees 48 minutes 28 seconds West, 40.00 feet to the westerly line of said Southwest Quarter; thence South 00 degrees 00 minutes 00 seconds West along said westerly line and being the centerline of Cline Avenue, 20.00 feet to the point of beginning. Containing 800.00 square feet (0.02 acre), more or less.

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 agrees not to exceed a height limit of 6 feet with any facilities.

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 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 200 day of JUNE, 2005, at LAKE  
County, Indiana

GRANTOR: The Rector, Wardens and Vestrymen of St. Timothy's Episcopal Church of Griffith, Indiana

By: Mary Ann Miller By: Timothy A. Skimina  
Title: Sr. Warden Title: Jr. Warden  
Printed: MARY ANN MILLER Printed: TIMOTHY A. SKIMINA

By: Steven L. Schaneman By: Greg Herald  
Title: Priest in - charge Title: VESTRY MAN  
Printed: STEVEN L. SCHANEMAN Printed: Greg Herald

By: Joan M. Gerling By: Thomas S. Zaczekiewicz  
Title: Vestrymen Title: Vestrymen  
Printed: JOAN M. GERLING Printed: THOMAS S. ZACZKIEWICZ

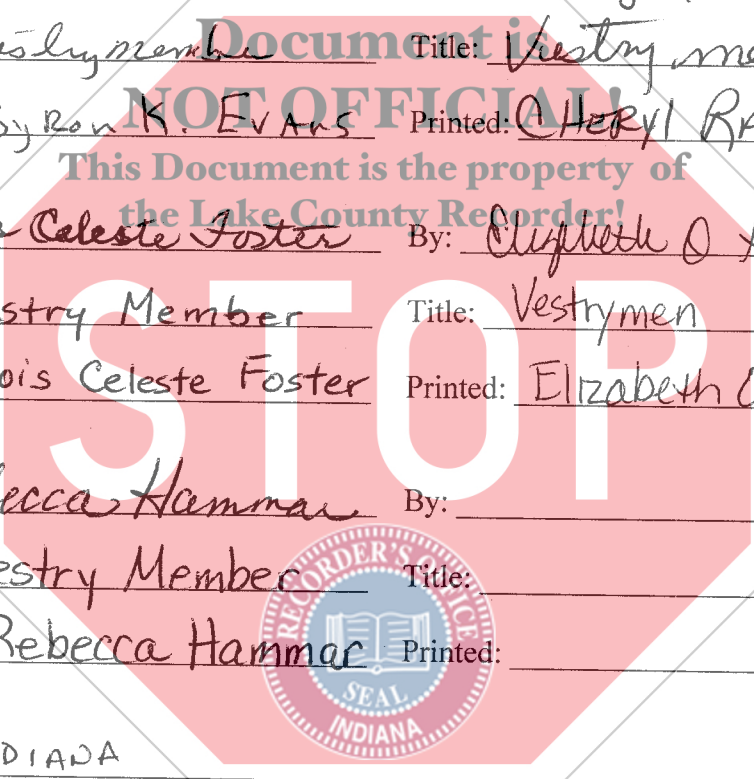
By: Byron K. Evans By: Cheryl Ramsey  
Title: Vestry member Title: Vestry member  
Printed: Byron K. Evans Printed: CHERYL RAMSEY

By: Lois Celeste Foster By: Elizabeth O. Goral  
Title: Vestry Member Title: Vestrymen  
Printed: Lois Celeste Foster Printed: Elizabeth O. Goral

By: Rebecca Hammar By: \_\_\_\_\_  
Title: Vestry Member Title: \_\_\_\_\_  
Printed: Rebecca Hammar Printed: \_\_\_\_\_

State of INDIANA  
County of LAKE

Personally appeared before me, a Notary Public, in and for said County and State,  
this 2ND day of JUNE, 2005 MARY ANN MILLER, TIMOTHY A. SKIMINA,  
STEVEN SCHANEMAN, GREG HEROLD, JOAN GERLING, TOM ZACZKIEWICZ,  
BYRON EVANS, CHERYL RAMSEY, LOIS FOSTER, ELIZABETH GORAL,  
REBECCA HAMMAR



Who acknowledged the execution of the above easement.

Denise M. Kohl, Notary Public

Denise M. Kohl, Notary Printed

My commission expires: 9-20-08 My County of Residence: LAKE

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 EASEMENT**

**LEGEND:**

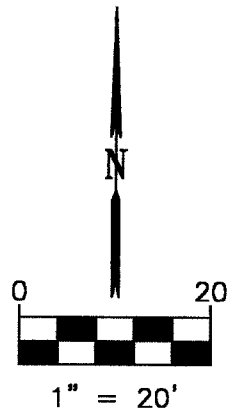
- IPF IRON PIPE FOUND
- OD OUTSIDE DIAMETER
- ISF IRON STAKE/CAP FOUND
- IRS 5/8" REBAR SET/CAP
- R RECORDED
- M MEASURED
- RC REFERENCE CORNER
- RL REFERENCE LINE
- DR DEED RECORD
- PG PAGE

AREA = 400.00 SQ. FT. (0.01 AC. ±)  
DATE: MAY 12, 2005

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)



**NON-EXCLUSIVE EASEMENT DESCRIPTION:**

A part of the real estate conveyed to The Rector, Wardens and Vestrymen of St. Timothy's Episcopal Church of Griffith, Indiana, and recorded on Instrument number 890575 at the Recorder's Office of Lake County, Indiana, the parcel situated in the South Five (5) acres of the North Eighteen (18) acres of the West Half of the Northwest Quarter of the Southwest Quarter of Section Twenty-six (26) in Township Thirty-six (36) North of Range Nine (9) West in the Town of Griffith, being more particularly described as follows:

**BEGINNING** at the southwest corner of said St. Timothy's Episcopal Church parcel, said corner being 1452.96 feet North 00 degrees 00 minutes 00 seconds East (recorded basis of bearings) from the southwest corner of said Southwest Quarter of Section 26; thence South 89 degrees 48 minutes 28 seconds East along the south line of said church parcel, 40.00 feet to the easterly right of way of Cline Avenue, marked by a 1 inch outside diameter iron pipe; thence North 00 degrees 00 minutes 00 seconds East along said easterly right of way, 20.00 feet; thence North 89 degrees 48 minutes 28 seconds West, 40.00 feet to the westerly line of said Southwest Quarter; thence South 00 degrees 00 minutes 00 seconds West along said westerly line and being the centerline of Cline Avenue, 20.00 feet to the point of beginning. Containing 800.00 square feet (0.02 acre), more or less.

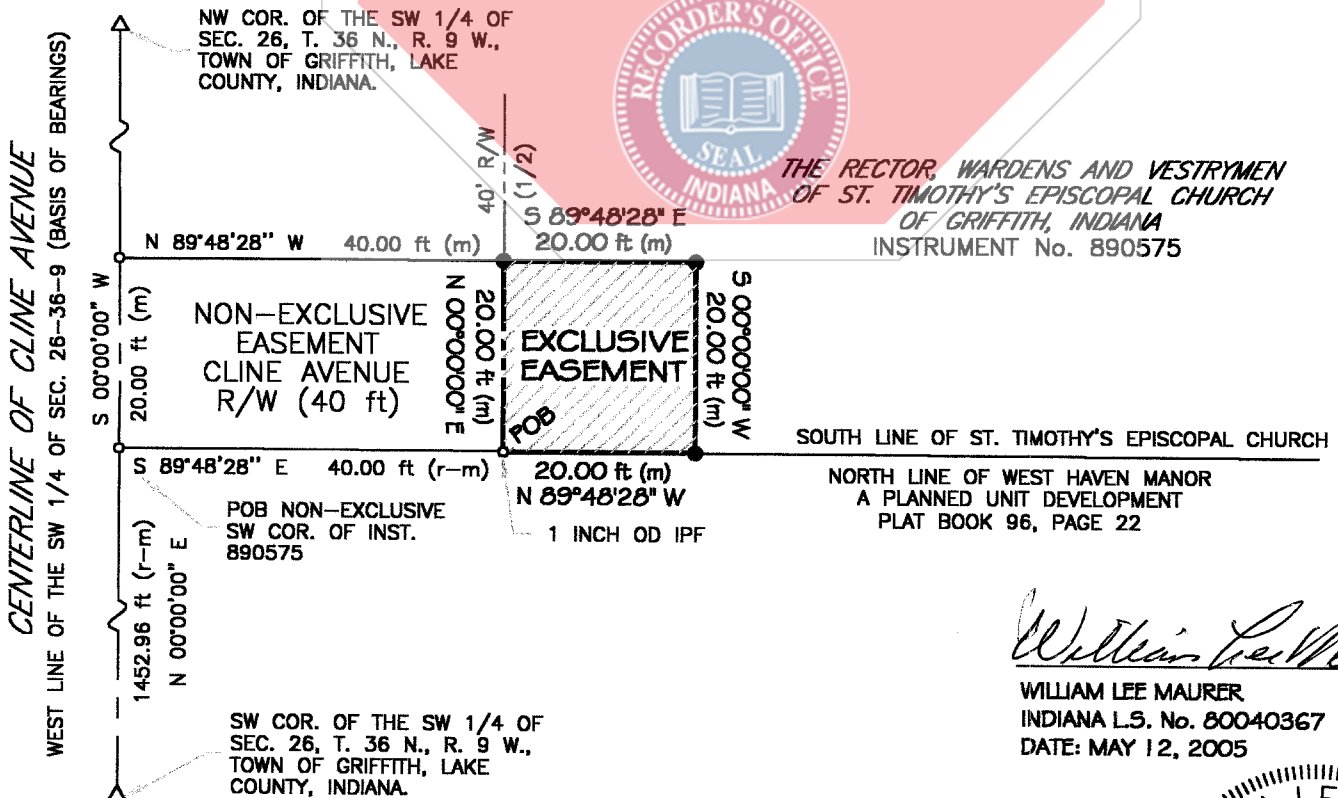
Subject to all easements, rights of way and restrictions of record.

**EXCLUSIVE EASEMENT DESCRIPTION:**

A part of the real estate conveyed to The Rector, Wardens and Vestrymen of St. Timothy's Episcopal Church of Griffith, Indiana, and recorded on Instrument number 890575 at the Recorder's Office of Lake County, Indiana, the parcel situated in the South Five (5) acres of the North Eighteen (18) acres of the West Half of the Northwest Quarter of the Southwest Quarter of Section Twenty-six (26) in Township Thirty-six (36) North of Range Nine (9) West in the Town of Griffith, being more particularly described as follows:

**BEGINNING** at the southwest corner of said St. Timothy's Episcopal Church parcel, said corner being 1452.96 feet North 00 degrees 00 minutes 00 seconds East (recorded basis of bearings) from the southwest corner of said Southwest Quarter of Section 26; thence South 89 degrees 48 minutes 28 seconds East along the south line of said church parcel, 40.00 feet to the easterly right of way of Cline Avenue, marked by a 1 inch outside diameter iron pipe for the **POINT OF BEGINNING**; thence North 00 degrees 00 minutes 00 seconds East along said easterly right of way, 20.00 feet; thence South 89 degrees 48 minutes 28 seconds East, 20.00 feet; thence South 00 degrees 00 minutes 00 seconds West parallel said easterly line of Cline Avenue, 20.00 feet to the south line of said church parcel; thence North 89 degrees 48 minutes 28 seconds West along said south line, 20.00 feet to the point of beginning. Containing 400.00 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: MAY 12, 2005



**PREPARED BY:**

**KAMTEL, INC.**  
920 15th STREET SOUTH  
WISCONSIN RAPIDS, WI. 54494  
PHONE: (262) 247 2301  
FAX: (262) 644 0817

**PREPARED FOR:**

**SBC AMERITECH**  
WLM SURVEYING JOB No. 0505055  
WORK ORDER: # 5400142  
EXCH. # N41133 HAMMOND EAST, IN.