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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

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2005 JUN 17 09:10:43

MICHAEL A. STONEY  
RECORDER

(Do Not Type Above This Line—For Recording Purposes Only)

**GRANT OF EASEMENT**

This Grant of Easement (the "Easement") is dated this 8 day of MARCH, 2004, by Onsite Communications Hickory LLC, a Michigan Limited Liability Company, hereinafter referred to as "Grantor," whose address is 17117 W. Nine Mile Road, Suite 1100, Southfield, MI 48075, and Comcast of Illinois/Indiana/Michigan, Inc., its successors and assigns, hereinafter referred to as "Grantee," whose address is 1500 McConnor Parkway, Schaumburg, IL 60173.

Grantor and Grantee are parties to a Cable Service Agreement dated March 8, 2004, and a Communications Installation and Services Agreement dated March 8, 2004, pursuant to which Grantor agrees to lease to Grantee certain premises located at the Property, as that term is defined below.

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In consideration of One Dollar (\$1.00), Grantor, owner of the Property described below hereby grants to Grantee, its successors and assigns, an easement in gross and right-of-way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time a broadband communications system (hereinafter referred to as the "System") consisting of wires, underground conduits, cables, pedestals, vaults, and including but not limited to above ground enclosures, markers and concrete pads or other appurtenant fixtures and equipment necessary or useful for distributing broadband services and other like communications, in, on, over, under, across and along that certain real property (the "Property"), commonly known as Hickory Ridge Lakes Apartments, located in the County of Lake, State of Indiana, described as follows:

**See Attached Exhibit A—Legal Description**

Grantor agrees for itself and its heirs and assigns that the System on the Property shall be and remain the personal property of the Grantee and may not be altered, obstructed or removed without the express written consent of the Grantee. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut trees and/or roots which may endanger or interfere with System and shall have free access to the System and every part thereof, at all times for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on Property, the Grantee shall make the same in such manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so

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removed by it and restore the area to as near the same condition as it was prior to such excavation as is practical.

This easement shall run with the land, until the earlier expiration or termination of the Lease. Upon termination of this easement, Grantee shall have the right to remove the System at its sole cost.

**IN WITNESS WHEREOF**, this Grant of Easement has been executed as of the day and year first above written.

WITNESS:

**GRANTOR:**

ONSITE COMMUNICATIONS HICKORY LLC

Kay Allen Perry  
Print Name: KAY ALLEN PERRY

By Michael E. Berger  
Name: Michael E. Berger  
Title: Authorized Signatory

Edna Young Sr.  
Print Name: Edna Young Sr.

**ACKNOWLEDGEMENT OF GRANTOR**

STATE OF Michigan )  
  ) ss.  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me, a Notary Public, this 8 day of March, 2004, by Michael Berger, of Onsite Communications Hickory LLC, on behalf of the LLC. He/she is (personally known to me) or (has presented \_\_\_\_\_ (type of identification) as identification and did/did not take an oath.

Witness my hand and official seal.

Shannon M VanSach  
Notary Public, Livingston County, MI  
My Commission Expires Dec 13, 2004

Shannon M VanSach  
Notary Public  
My Commission Expires: \_\_\_\_\_

<p><b>When Recorded, Return To:</b> Comcast of /Illinois/Indiana/Michigan, Inc. Attention: Ed Zamarippa 1500 McConnor Parkway Schaumburg, IL 60173</p> <p>Parcel Number: <u>↑</u></p>	<p><b>Drafted By:</b> <u>Shelley Mason</u> <i>Agent for Comcast</i> 1500 McConnor Parkway Schaumburg, IL 60173</p>
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EXHIBIT A TO WARRANTY DEED

LEGAL DESCRIPTION:

A PART OF THE EAST HALF OF THE EAST HALF OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN IN ROSS TOWNSHIP, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT AN IRON PIPE IN THE EAST LINE OF SAID TRACT WHICH IS 1,308.52 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 5; THENCE SOUTH 0 DEGREES 36 MINUTES 34 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 1464.35 FEET TO A NAIL IN THE CENTERLINE OF THE PUBLIC HIGHWAY KNOWN AS 57TH AVENUE (FORMERLY CALLED ROSS ROAD); THENCE SOUTH 67 DEGREES 20 MINUTES 36 SECONDS WEST ALONG SAID CENTERLINE A DISTANCE OF 587.33 FEET TO A NAIL; THENCE SOUTH 72 DEGREES 33 MINUTES 26 SECONDS WEST ALONG SAID CENTERLINE OF 57TH AVENUE A DISTANCE OF 226.19 FEET TO A NAIL; THENCE SOUTH 82 DEGREES 06 MINUTES 26 SECONDS WEST ALONG SAID CENTERLINE A DISTANCE OF 271.14 FEET TO A NAIL; THENCE SOUTH 87 DEGREES 37 MINUTES 35 SECONDS WEST ALONG SAID CENTERLINE A DISTANCE OF 118.55 FEET TO A NAIL; THENCE NORTH 0 DEGREES 47 MINUTES 34 SECONDS EAST ALONG THE EAST LINE OF PROPERTY DESCRIBED IN DEED RECORD 1193, PAGE 414, IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA, A DISTANCE OF 206.10 FEET TO AN IRON PIPE; THENCE SOUTH 89 DEGREES 12 MINUTES 26 SECONDS WEST ALONG THE NORTH LINE OF SAID PROPERTY DESCRIBED IN DEED RECORD 1193, PAGE 414, A DISTANCE OF 181.00 FEET TO A NAIL IN THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF SAID SECTION 5; THENCE NORTH 0 DEGREES 47 MINUTES 36 SECONDS EAST ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF SAID SECTION 5 A DISTANCE OF 703.44 FEET TO AN IRON PIPE AT THE SOUTHWEST CORNER OF A TRACT OF LAND RECORDED JUNE 22, 1949 IN DEED RECORD 840, PAGE 140, IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 56 MINUTES 34 SECONDS EAST ALONG THE SOUTH LINE OF SAID TRACT RECORDED IN DEED RECORD 840, PAGE 140, A DISTANCE OF 350 FEET TO AN IRON PIPE; THENCE NORTH 0 DEGREES 47 MINUTES 34 SECONDS WEST ALONG THE EAST LINE OF SAID TRACT RECORDED IN DEED RECORD 840, PAGE 140, A DISTANCE OF 264 FEET TO AN IRON PIPE; THENCE NORTH 89 DEGREES 56 MINUTES 34 SECONDS WEST A DISTANCE OF 115.0 FEET TO AN IRON PIPE WHICH IS 235 FEET EAST OF THE WEST LINE OF SAID EAST HALF OF THE EAST HALF OF SAID SECTION 5; THENCE NORTH 0 DEGREES 47 MINUTES 34 SECONDS WEST A DISTANCE OF 296.73 FEET TO AN IRON PIPE; THENCE NORTH 89 DEGREES 53 MINUTES 26 SECONDS EAST A DISTANCE OF 164.82 FEET TO AN IRON PIPE; THENCE NORTH A DISTANCE OF 163.39 FEET TO AN IRON PIPE; THENCE EAST 233.27 FEET TO AN IRON PIPE; THENCE NORTH 159.61 FEET TO AN IRON PIPE; THENCE EAST ALONG THE SOUTH LINE OF BLOCK 3 OF MEADOWDALE SUBDIVISION AS SAME WAS RECORDED IN PLAT BOOK 31, PAGE 52, IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA, A DISTANCE OF 700 FEET TO THE PLACE OF BEGINNING.