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Form PHE-1
8/98

PERPETUAL HIGHWAY EASEMENT

2007
018371

TITLE ACQUIRED BY :
423961
08/08/1977

Project: IM-80-1 (158)
Code: 46
Parcel: 6 of 3
Page: _____ of 3

THIS INDENTURE WITNESSETH, That City of Gary

the Grantor(s), of Lake County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of One Hundred Fifty and 00/100 Dollars (\$ 150.00) (of which said sum \$ 150.00 represents land encumbered and improvements acquired and \$ 0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, a perpetual easement and right of way in, under and upon certain Real Estate situated in the County of Lake, State of Indiana, and which is more particularly described in the legal description(s) attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference, for the purpose of the construction, reconstruction, maintenance, operation and repair thereupon of a highway facility and appurtenances thereto, which said appurtenances may include but are not limited to, ditches and drainage facilities, slopes, rip rap, culverts, and like features necessary for the said highway facility.

This conveyance is subject to any and all easements, conditions and restrictions of record.

MARK G. AHEARN
ATTORNEY AT LAW

This Instrument Prepared by _____

Attorney at Law

Interests in land acquired by the Indiana Department of Transportation
Grantee mailing address:
100 North Senate Avenue
Indianapolis, IN 46204-2219
I.C.8-23-7-31



Indiana Department of Transportation
Land Acquisition Division
100 North Senate Ave, Room N955
Indianapolis, IN 46204-2219

TRANSACTION EXEMPT FROM SALES
DISCLOSURE REQUIREMENTS UNDER
IC6-1-1-5-5

* I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Signature: Diana Kile
Printed Name: DIANA KILE

N/C

CA

FILED

JUN 12 2007

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

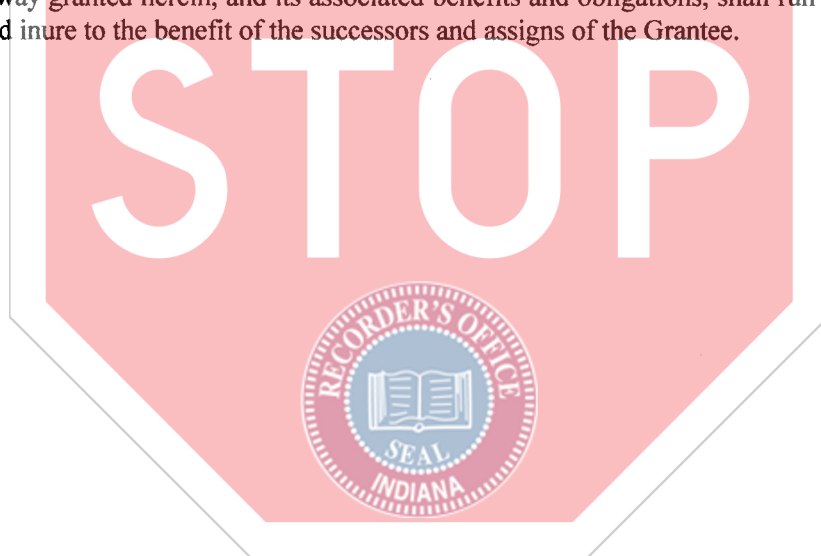
007758

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Grantee, its employees, agents, contractors, subcontractors and assigns shall have the right to enter in, under, over, along and upon the area of the said right of way conveyed herein at will to construct, reconstruct, maintain, and continue to operate the highway facility and appurtenances thereon and to remove from the said area any encroaching trees or other vegetation, buildings or other obstructions to the free and unobstructed use of the said right of way, and to make such alteration and improvements to the highway facility and appurtenances as the Grantee may deem necessary or useful. The Grantee may also, without further permission of the Grantor(s) or the Grantor(s) successors in title, bargain, convey or otherwise permit the use and/or occupancy of the area of the said right of way to place, replace, repair or maintain utility facilities.

Grantor(s) and their successors in title, covenant(s) and agree(s) not to erect, maintain or allow to continue within the area of the said right of way any building, structure, fence, plantings or other obstruction to the Grantee's free and unobstructed use of the said right of way, highway facilities or appurtenances thereto without the prior express written permission of the Grantee. Such permission shall not be effective unless and until recorded.

Grantor(s) warrant(s) that the Grantor is the owner(s) in fee simple of said Real Estate, lawfully seized thereof and has/have a good right to grant and convey the foregoing easement; warrant(s) the quiet use and enjoyment thereof; warrant(s) that said Real Estate is free from all encumbrances inconsistent with the Grant contained herein; and warrant(s) that the Grantor will defend Grantee's title in said easement and right of way against all claims. This easement and right of way granted herein, and its associated benefits and obligations, shall run with said Real Estate. This indenture shall bind and inure to the benefit of the successors and assigns of the Grantee.



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The undersigned persons executing this deed represent and certify on behalf of the Grantor, that he/she is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the by-laws of the Grantor, to execute and deliver this deed; that the Grantor is a Corporation in good standing in the State of its origin and, where required, in the State where the subject real estate is situate; that the Grantor has full corporate capacity to convey the real estate described; and that all necessary corporate action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, the said Grantor(s) (has) (have) executed this instrument this 17th day of MAY, 2006.

X Bernadine B. Tousant (Seal) Hamilton S. Carmouche (Seal)
Signature Signature

Geraldine B. Tousant, Deputy Mayor Hamilton Carmouche, Secretary
Printed Name and Title Printed Name

[Signature] (Seal) [Signature] (Seal)
Signature Signature

Husain Mahmoud, Vice-President Rudolph Clay, Mayor
Printed Name Printed Name

STATE OF INDIANA:
COUNTY OF LAKE: SS:

Before me, a Notary Public in and for said State and County, personally appeared City of Gary BY GERALDINE B. TOUSANT AS DEPUTY MAYOR, HAMILTON CARMOUCHE AS SECRETARY, AND HUSAIN MAHMOUD AS VICE-PRESIDENT, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be its voluntary act and deed and whom, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 17th day of May, 2006.

[Signature]
Signature

Debra Nunn-Holley
Printed Name

My Commission expires 10-10-13.

I am a resident of Lake County.

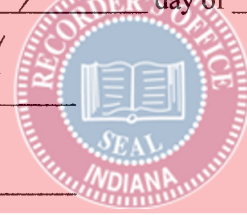
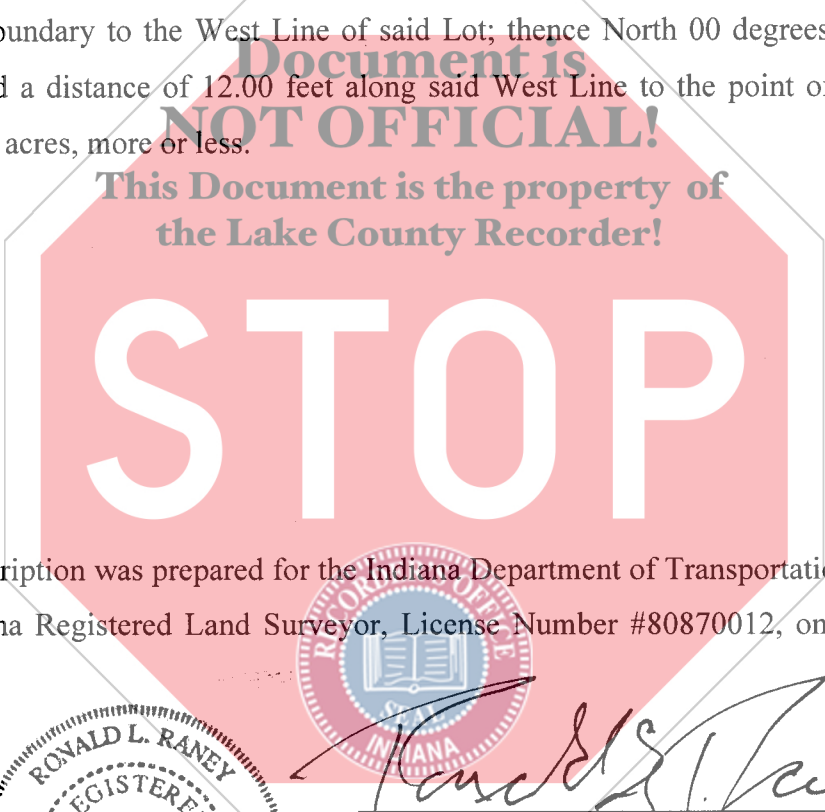


EXHIBIT "A"

Project : IM-80-1(158)
Code : 4621
Form: PHE-1
Parcel : 6 Perpetual Easement For Ditch Maintenance

A part of the West Half of the Southeast Quarter of Section 16, Township 36 North, Range 8 West, Lake County, Indiana.

Beginning at the intersection of the South Boundary of Interstate I-80/94 and the West Line of Lot 11 Block 75 Chicago-Tolleston Land and Investment Company's 2nd Oak Park Addition to the City of Gary as recorded in Book 2, Page 36, Records of the Lake County Recorder; thence South 89 degrees 37 minutes 15 seconds East and a distance of 125.00 feet along said South Boundary to the East Line of said Lot; thence South 00 degrees 22 minutes 45 seconds West and a distance of 12.00 feet along said East Line; thence North 89 degrees 37 minutes 15 seconds West and a distance of 125.00 feet parallel with and 12.00 feet southwesterly of said South Boundary to the West Line of said Lot; thence North 00 degrees 22 minutes 45 seconds East and a distance of 12.00 feet along said West Line to the point of beginning and containing 0.034 acres, more or less.



This description was prepared for the Indiana Department of Transportation by Ronald L. Raney, an Indiana Registered Land Surveyor, License Number #80870012, on the 5th day of May, 2005.



Ronald L. Raney
Ronald L. Raney L.S. #80870012,