

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2009 079434

2009 DEC -1 AM 10:56

MICHAEL A. BROWN
RECORDER

PROJECT: Lake County Bridge 227
PARCEL: 1

**PERPETUAL EASEMENT
(FOR THE CONSTRUCTION, MAINTENANCE AND REPAIRING
OF A DRIVEWAY FOR INGRESS/EGRESS)**

THIS INDENTURE WITNESSETH, That The Estate of Marianne P. Marlowe, Deceased

the Grantor(s), of KANE County, in the State of ILLINOIS, Grant(s) to **The Board of County Commissioners of Lake County, State of Indiana**, the Grantee, for and in consideration of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, a perpetual easement in, over, along and upon certain Real Estate of the Grantor(s) situated in the County of Lake, State of Indiana, and being more particularly described in the legal description attached hereto as Exhibit "A", which exhibit is incorporated herein by reference, for the construction, repairing and general maintenance of a driveway located within the area of the said Real Estate.

The Grantees, their respective employees, agents, contractors, subcontractors and assigns, shall have the right to enter in, over, along and through the area of the said Real Estate to construct, repair and generally maintain the said driveway and to remove any existing or future crops, trees, shrubbery or other woody vegetation therefrom.

The Grantor(s), and their successors in title, may use the area of said Real Estate in any manner not inconsistent with the Grantees' operation of said driveway, or the provisions of this grant, provided, however, that neither the Grantor(s) nor the Grantor's(s') successors in title shall erect any permanent structure, nor plant any trees, shrubbery or other woody vegetation, within the area of said Real Estate without the prior express written consent of the Grantee.

Temporary structures may be located within the area of said Real Estate but shall be removed immediately upon notification by the Grantees of the need to enter said Real Estate to perform the hereinbefore described work.

Any such permanent or temporary structures, trees, shrubbery, woody vegetation or crops may be removed, damaged or destroyed by the Grantees, their respective employees, agents, contractors, subcontractors and assigns entering the Real Estate pursuant to the terms of this grant without liability or payment thereof.

Grantor(s) warrant(s) that it is the Owner(s) in fee simple of said real estate, lawfully seized thereof and has 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 warrants(s) that it will defend Grantees' title in said easement and right of way against all claims. The easement granted herein, and its associated benefits and obligations, shall run with said Real Estate and be binding upon the Grantor(s) and all successors and assigns. This indenture shall bind and inure to the benefit of the successors and assigns of the Grantees.

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

HOLD COMMISSIONERS

FILED

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Page 1 of PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

017703

M/C
AO

IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument this 13th day of July, 2009.

The Estate of Marianne P. Marlowe, Deceased

By Paul W. Marlowe
(Signature)

Paul W. Marlowe, Personal Representative
(Printed Name and Title)

STATE OF ILLINOIS

COUNTY OF Kane



NOT OFFICIAL

This Document is the property of

Before me a Notary Public in and for said State and County, personally appeared Paul W. Marlowe, Personal Representative of The Estate of Marianne P. Marlowe, Deceased the Grantor(s) in the above conveyance, and acknowledge the execution of the same on the date aforesaid to be his voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 13 day of July, 2009.

My Commission Expires:
3-4-2011



This instrument reviewed by: William Clyde Jones, Attorney at Law

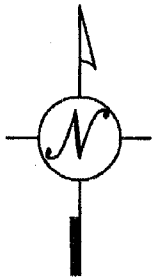
William Clyde Jones _____ Date

This instrument prepared by: William Clyde Jones, Attorney at Law

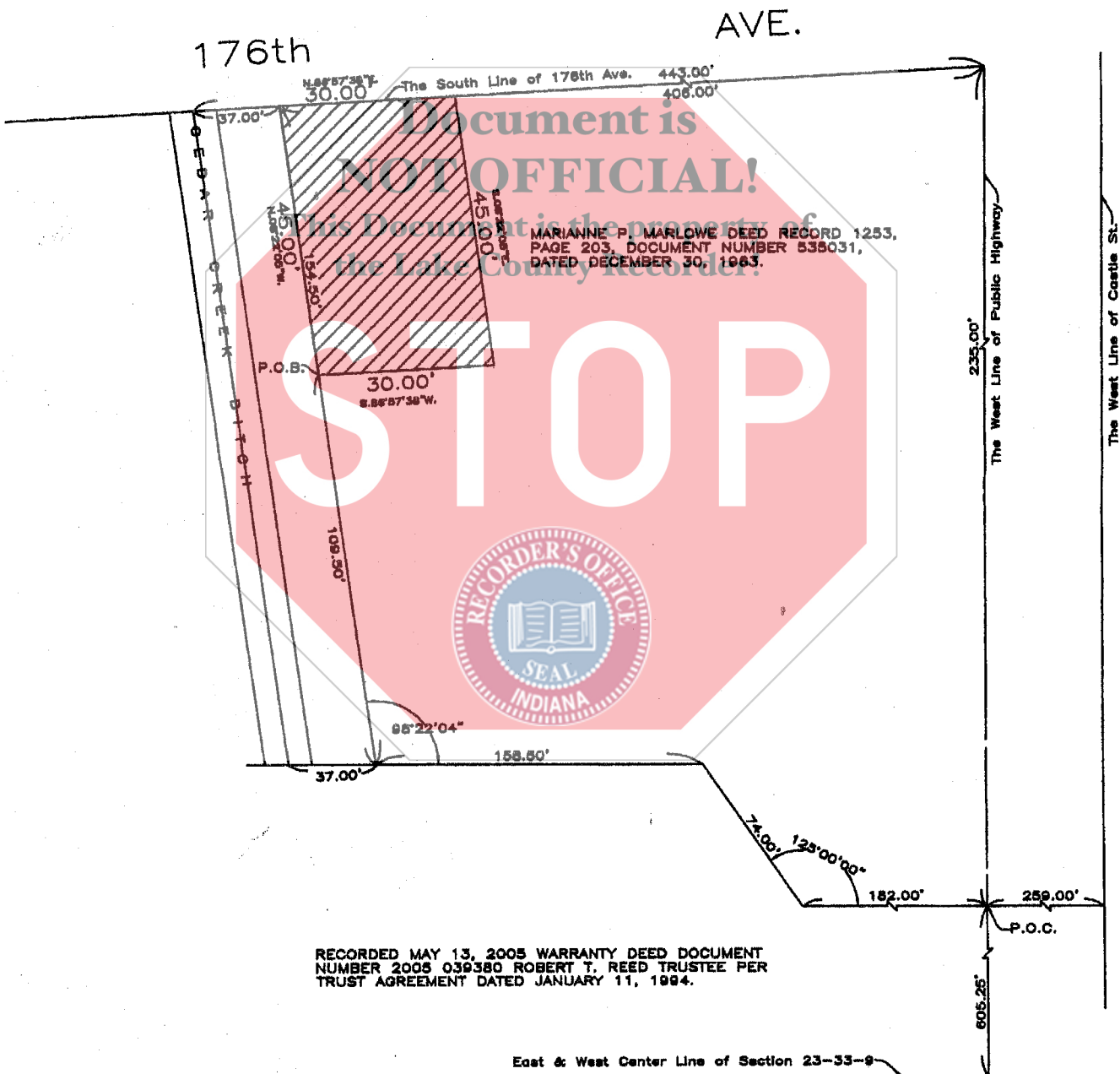
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, William Clyde Jones, Attorney at Law.

Exhibit "A"

H. DONALDSON ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
803 S. Howard St., Gary, In 46403 Tel: (219) 588-2599 Fax:(312) 534-0263
PLAT OF EASEMENT
OF



A PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 33 NORTH, RANGE 9, WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE TOWN OF LOWELL, INDIANA, AND BEING A PART OF A PARCEL OF LAND CONVEYED TO PAUL L. MARLOWE AND MARIANNE P. MARLOWE, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETIES, RECORDED DECEMBER 30, 1983, IN DEED RECORD 1253, PAGE 203, AS DOCUMENT NUMBER 535031, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 805.25 FEET NORTH OF THE EAST AND WEST CENTER LINE OF SAID SECTION 23, ON THE WEST LINE OF A PUBLIC HIGHWAY 259 FEET WEST OF THE WEST LINE OF CASTLE STREET IN THE TOWN OF LOWELL; THENCE WEST A DISTANCE OF 182.00 FEET TO A POINT; THENCE NORTHWESTERLY AT AN ANGLE OF 125 DEGREES FROM THE LAST DESCRIBED COURSE A DISTANCE OF 74.00 FEET TO A POINT; THENCE WEST A DISTANCE OF 158.50 FEET TO A POINT; THENCE NORTHERLY AT AN ANGLE OF 98 DEGREES 22 MINUTES 04 SECONDS FROM THE LAST DESCRIBED COURSE A DISTANCE OF 109.50 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE CONTINUING NORTH 08 DEGREES 22 MINUTES 05 SECONDS WEST AT AN ANGLE OF 180 DEGREES FROM THE LAST DESCRIBED COURSE A DISTANCE OF 45.00 FEET TO A POINT IN THE SOUTH LINE OF 176TH AVENUE; THENCE NORTH 88 DEGREES 57 MINUTES 38 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 08 DEGREES 22 MINUTES 04 SECONDS EAST A DISTANCE OF 45.00 FEET TO A POINT; THENCE SOUTH 88 DEGREES 57 MINUTES 38 SECONDS WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1344 SQUARE FEET (0.031 ACRE), MORE OR LESS.



RECORDED MAY 13, 2005 WARRANTY DEED DOCUMENT NUMBER 2005 039380 ROBERT T. REED TRUSTEE PER TRUST AGREEMENT DATED JANUARY 11, 1994.



HATCHED AREA IS THE APPROX. TAKING

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

Order No. 2008-2392

Scale: 1 inch = 50 feet.

Date: May 22, 2009

Ordered by: NORTH-WEST ENGINEERING CO., INC. CONSULTING ENGINEERS



STATE OF INDIANA) S.S.
COUNTY OF LAKE)

I, HYLTON E. DONALDSON, HEREBY CERTIFY THAT ON THE DATE SHOWN I MADE A SURVEY OF THE HEREIN DESCRIBED PROPERTY AND, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE PLAT HEREBY DRAWN IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY.

Hylton E. Donaldson
Hylton E. Donaldson, Registered Land Surveyor No. S0463, State of Indiana