

THE TOWN OF HIGHLAND
ORDER of the WORKS BOARD NO. 2010-30

3

An Order Authorizing, Approving and Accepting a Storm Sewer Utility Easement Agreement with Mr. And Mrs. Steven D. and Diane L. Neel, as Grantor and the Town of Highland as Grantee

WHEREAS, Mr. And Mrs. Steven D. and Diane L. Neel, (hereinafter sometimes described as Grantor) have a real property interest in certain real property located in the Town of Highland, Lake County, Indiana, which is legally described as follows:

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2010 JUL 30 PM:2:17

Lot 21 of Block 1 in the Fifth Street Estates First addition to the Town of Highland, Lake County, Indiana as recorded in Plat Book 31, page 57, in the Office of the Recorder, Lake County, Indiana.

WHEREAS, The Grantor wishes to grant to the Grantee, the Town of Highland, governed by and through its Town Council as the Works Board of the Town, a utility easement for the purpose of installing a storm sewer, which is legally described as follows:

The west five feet (5') of Lot 21 of Block 1 in the Fifth Street Estates First addition to the Town of Highland, Lake County, Indiana as recorded in Plat Book 31, page 57, in the Office of the Recorder, Lake County, Indiana

WHEREAS, The Town of Highland, through its Town Council, acting as the Works Board (hereinafter sometimes referred to as Grantee), has determined that a utility easement for this storm sewer and all other appurtenances in, under, over and across the above described real estate would be of great public benefit and utility;

NOW, THEREFORE, BE IT HEREBY ORDERED, that the Utility Easement Agreement between Mr. And Mrs. Steven D. and Diane L. Neel, as Grantor, and the Town of Highland, as Grantee, incorporated herein by reference, is hereby approved and ratified in each and every respect.

BE IT FURTHER ORDERED that the Town Council President is hereby authorized to execute the Agreement by his signature as thereto attested by the Clerk-Treasurer.

Be it So Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 19th day of July 2010 having passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

NON-TAXABLE

JUL 30 2010

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR



16-
LP
de 002324
+2.00
OV

054236

EASEMENT AGREEMENT

This Easement Agreement is made and entered into this 2nd day of July, 2010, by and between Steven D Neel and Diane L Neel (hereinafter sometimes referred to as "Grantor") and the Town of Highland, Lake County Indiana, by and through its Town Council, (hereinafter sometimes referred to as "Grantee").

WITNESSETH THAT:

WHEREAS, Grantor owns and has title to certain real estate located in Lake County, Indiana, which is legally described as follows:

Lot 21 of Block 1 in the Fifth Street Estates First Addition to the Town of Highland, Lake County, Indiana as recorded in Plat Book 31, Page 57, in the Office of the Recorder, Lake County, Indiana.

WHEREAS, Grantor wishes to grant to Grantee, a utility easement for the purpose of installing a storm sewer.

NOW, THEREFORE, for good and valuable consideration, the receipt which is acknowledged, it is mutually agreed by and between the parties hereto as follows:

1. **Easement.** Grantor does hereby grant, assign, convey and set over to Grantee an easement for a storm sewer, in under, over, above and across the following described real estate:

The west five (5') feet of Lot 21 of Block 1 in the Fifth Street Estates First Addition to the Town of Highland, Lake County, Indiana as recorded in Plat Book 31, Page 57, in the Office of the Recorder, Lake County, Indiana.

2. **Uses.** Grantee is granted a perpetual easement for the installation, construction, and utilization of storm sewers. Grantee shall also have a continuing easement in, under, over, above, and across said easement parcel to inspect, maintain, and/or repair any such storm sewer installed in said easement.

3. **Exclusive Easement.** This easement granted to the grantee herein is exclusive to the benefit of the Grantee and the Grantor shall not grant additional easements over the same property to other utilities or private parties.

4. **Term.** Grantee shall have and hold said easement for utility purposes in perpetuity so long as said easement is used for the purposes set forth herein.

5. **Repair and Maintenance.** Grantee shall be solely responsible for the storm sewer located in, on, under, over, across, and through the easement area.

