

PERMANENT RESTRICTIVE COVENANT BY MUNSTER PARKS AND RECREATION DEPARTMENT OF THE TOWN OF MUNSTER, INDIANA

FOR VALUE RECEIVED, which value is acknowledged by the Board of Parks and Recreation of the Town of Munster, Indiana ("the Park Board"), the Park Board does hereby GRANT, IMPOSE and PERPETUATE a permanent restrictive covenant on the property legally described in Exhibit A attached hereto, and drawn in Exhibit B attached hereto (the "Property") restricting the use of the Property exclusively for public outdoor recreation, in perpetuity.

The Property described in Exhibit A and Exhibit B was developed with a grant made under the Land and Water Conservation Fund Act of 1965 (Public Law 88-578; 78 Stat. 897 ("LWCF")), which provides that property developed with LWCF assistance shall be retained and used for public outdoor recreation in perpetuity. The property developed shall not be wholly or partly converted to any use other than public outdoor recreation uses without the approval in writing of the Indiana Department of Natural Resources and the U.S. Department of the Interior, the latter having the ultimate authority to disapprove conversion requests and/or reject proposed property substitutions.

This easement is subject to the LWCF regulations which, among other provisions, specify that all future utilities constructed or renovated on the property site shall be installed underground, with which regulation the Park Board states to the Indiana Department of Natural Resources it will comply. Any future utility lines which do not serve the area shall also require approval by the Indiana Department of Natural Resources. The Park Board understands and agrees that the provision of Section 6 (f)(3) of the LWCF Act apply in perpetuity, and thus shall continue with the restrictive covenant even after any LWCF assisted facilities have served their useful lives and been discontinued.

All of which is granted, imposed and perpetuated this 17th day of August, 2010.

Board of Parks and Recreation of
The Town of Munster, Indiana:


President

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FILED

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PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

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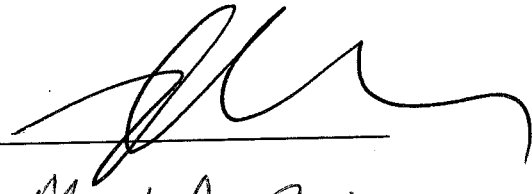
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STATE OF INDIANA
LAKE COUNTY
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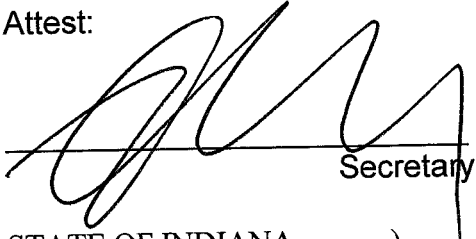
20th

BB



Matthew J. Bui

Attest:

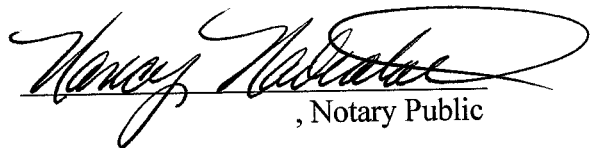


Secretary

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for said County and State, this 17th day of August, 2010, personally appeared before me the President, Secretary and other named members of the Board of Parks and Recreation of the Town of Munster ("the Park Board"), who acknowledged the execution of the above instrument to be the official act of and deed of the Park Board for the uses and purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above written.



, Notary Public

My Commission Expires:

7/26/10

County of Residence: Lake

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This document prepared by Eugene M. Feingold, Attorney, of Munster, Indiana, and approved by the Indiana Department of Natural Resources.

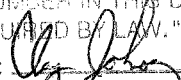
"I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW."
PREPARED BY: 

EXHIBIT "A"

Legal Description

Part of the Southwest Quarter of Section 30, Township 36 North, Range 9, West of the Second Principal Meridian, together with part of the Northwest Quarter, the Northeast Quarter and the Southeast Quarter of Section 31, Township 36 North, Range 9, West of the Second Principal Meridian, all in the Town of Munster, North Township, Lake County, Indiana being more particularly described as follows:

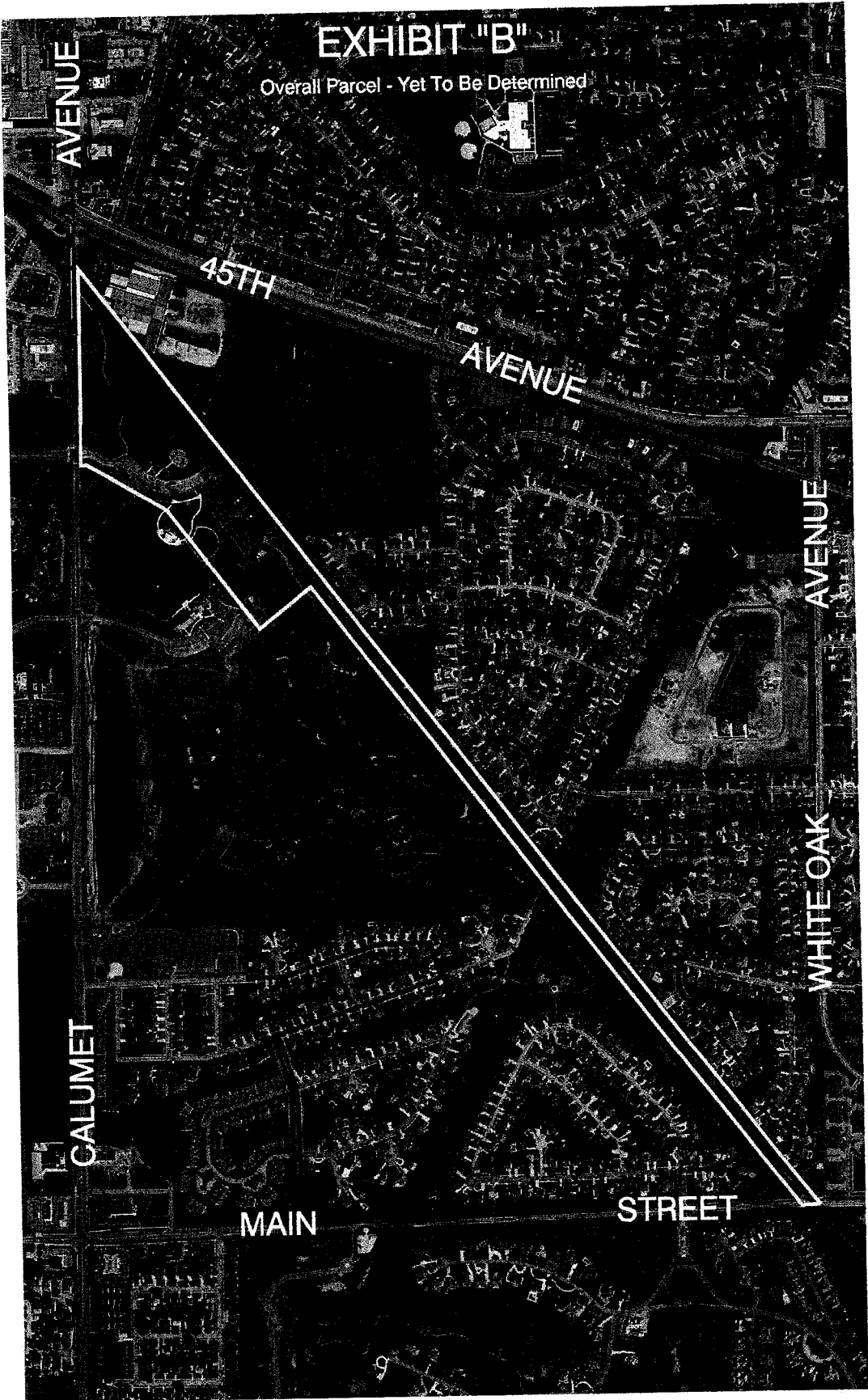
Beginning at the intersection of the south line of said Section 30 and the east line of the west 50.00 feet of the Southwest Quarter of said Section 30; thence North 00 degrees 26 minutes 26 seconds East, along said east line, 1246.71 feet, to the northeasterly line of the abandoned Pennsylvania Railroad Right of Way (also known as the Pittsburgh, Cincinnati, Chicago and St. Louis Railroad), as depicted in Plat of Survey recorded November 12, 2004 as Document Number 2004-096538, in the Office of the Lake County, Indiana Recorder; thence South 37 degrees 45 minutes 19 seconds East, along said northeasterly line, 7632.44 feet, to a tangential curve; thence continuing along said northeasterly line southeasterly along said tangential curve to the left, having a radius of 12151.07 feet, an arc length of 499.31 feet, a chord length of 499.27 feet, and a chord bearing of South 38 degrees 55 minutes 57 seconds East, to the south line of the Southeast Quarter of said Section 31; thence South 88 degrees 14 minutes 03 seconds West, along said south line, 127.18 feet to a non-tangential curve and the southwesterly line of the abandoned Pennsylvania Railroad Right of Way (also known as the Pittsburgh, Cincinnati, Chicago and St. Louis Railroad), as depicted in Plat of Survey recorded November 12, 2004 as Document Number 2004-096538, in the Office of the Lake County, Indiana Recorder; thence northwesterly along said southwesterly

line, being a non-tangential curve to the right having a radius of 12251.07 feet, an arc length of 424.52 feet, a chord length of 424.50 feet, and a chord bearing of North 38 degrees 44 minutes 52 seconds West, to a tangential line; thence North 37 degrees 45 minutes 19 seconds West, along said tangential line continuing along said southwesterly line, 4958.55 feet, to the east line of the west 1624.75 feet of the Northwest Quarter of said Section 31; thence South 52 degrees 14 minutes 41 seconds West, at right angles to said southwesterly line, 450.00 feet, to a line 450.00 feet southwesterly of and parallel to said southwesterly line; thence North 37 degrees 45 minutes 19 seconds West, along said parallel line, 1026.33 feet, to the east line of the west 636.50 feet of the Northwest Quarter of said Section 31; thence North 60 degrees 11 minutes 09 seconds West, 630.59 feet, to the intersection of the east line of the west 87.00 feet of the Northwest Quarter of said Section 31 with the south line of the north 80.00 feet of the Northwest Quarter of said Section 31; thence South 88 degrees 40 minutes 46 seconds West, along said south line 37.02 feet, to the east line of the west 50.00 feet of the Northwest Quarter of said Section 31; thence North 00 degrees 26 minutes 12 seconds East, along said east line, 80.04 feet, to the intersection of said west line with the north line of the Northwest Quarter of said Section 31; thence easterly along said north line, to the Point of Beginning.

Containing 44.5972 acres (1,942,654.7 square feet) more or less

EXHIBIT "B"

Overall Parcel - Yet To Be Determined



08-315

400 0 400



SCALE 1" = 800'

08-315_ALGN_02.dwg

ROBINSON ENGINEERING, LTD.

CONSULTING REGISTERED PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS

17000 SOUTH PARK AVENUE SOUTH HOLLAND, ILLINOIS 60473
(708) 331-6700 FAX (708) 331-6826

ILLINOIS DESIGN FIRM REGISTRATION NO. 184001128.