

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2011 029212

2011 MAY 26 PM 12:04

MICHELLE R. FAJAN  
RECORDER

**NON EXCLUSIVE UTILITY EASEMENT**

Grantee Easement No. 238239

KNOW ALL THAT THE CITY OF WHITING INDIANA BOARD OF PUBLIC WORKS AND SAFETY, herein referred to as "GRANTOR", in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to: **Indiana Bell Telephone Company, Incorporated, d/b/a AT&T Indiana, an Indiana Corporation**, AT&T Manager, ROW Indiana, 302 W. Washington St., Lebanon, Indiana, 46052, and to its successors, assigns, affiliates, and licensees, a non-exclusive easement in, under, over, upon and across the Easement Area described in attached Exhibit "A" and depicted in attached Exhibit "B", for the purposes of and in order to construct, reconstruct, modify, supplement, maintain operate and/or remove facilities for the transmission of signals used in the provision of communication, video and/or information services and/or any other services or uses for which such facilities may be used, together with the right to have commercial electrical service extended across the property and Easement Area to provide service to such facilities, and the right of ingress and egress across the property and the Easement Area for the purpose of access to and use of the easement granted herein.

Grantor represents and warrants to the Grantee that Grantor is the true and lawful owner of the property and has full right and power to grant and convey the rights conveyer herein.

Grantor reserves the use of the above described Easement Area and property not inconsistent with this grant.

Grantee acknowledges that this easement area will contain tennis courts and as such, Grantee hereby agrees to restore all property disturbed by its activities in use of the easement at Grantee's sole expense.

Grantee shall and will indemnify and save the Grantor harmless from and against any and all damage, injuries, losses, claims, demands or costs proximately caused by the fault, culpability or negligence of the Grantee in the construction, erection, maintenance, operation, repair or renewals of said facilities and the structures and appurtenances connected therewith.

This Non-exclusive Grant of Easement is binding upon and shall inure to the benefit of the heirs, successors, assigns and licensees of the parties hereto.

AMOUNT \$ 17-  
CASH \_\_\_\_\_ CHARGE City of Whiting  
CHECK # \_\_\_\_\_  
OVERAGE \_\_\_\_\_  
COPY \_\_\_\_\_  
NON-COM \_\_\_\_\_  
CLERK SS

1

001895

**NON-TAXABLE**

MAY 26 2011

PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

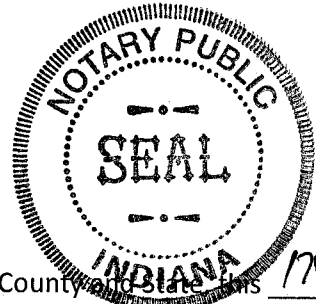
So granted this 17<sup>th</sup> day of May, 2011, at Lake County, Indiana.

GRANTOR: CITY OF WHITING BOARD OF PUBLIC WORKS AND SAFETY

absent  
\_\_\_\_\_  
JOSEPH M. STAHURA, MAYOR

Marty Jakubowski  
\_\_\_\_\_  
MARTY JAKUBOWSKI, MEMBER

Mark Harbin  
\_\_\_\_\_  
MARK HARBIN, MEMBER



STATE OF INDIANA: }  
COUNTY OF LAKE: }SS

Personally appeared before me, a Notary Public, in and for said County and State on 17<sup>th</sup> day of May, 2011, who acknowledged execution of the above easement as a free and voluntary act and deed.

Jennifer M. Biancola  
\_\_\_\_\_  
Notary Public  
A Resident of Lake County

My commission expires: 02-18-17

**Document is NOT OFFICIAL!**  
**This Document is the property of the Lake County Recorder!**

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.

Denise L. Sejna  
\_\_\_\_\_  
Denise L. Sejna

This document was drafted by: Denise L. Sejna, Attorney at Law, 1443, 119<sup>th</sup> Street, Whiting, IN 46394

RETURN RECORDED EASEMENT TO: Denise L. Sejna  
City of Whiting  
1443 - 119<sup>th</sup> Street  
Whiting, IN 46394

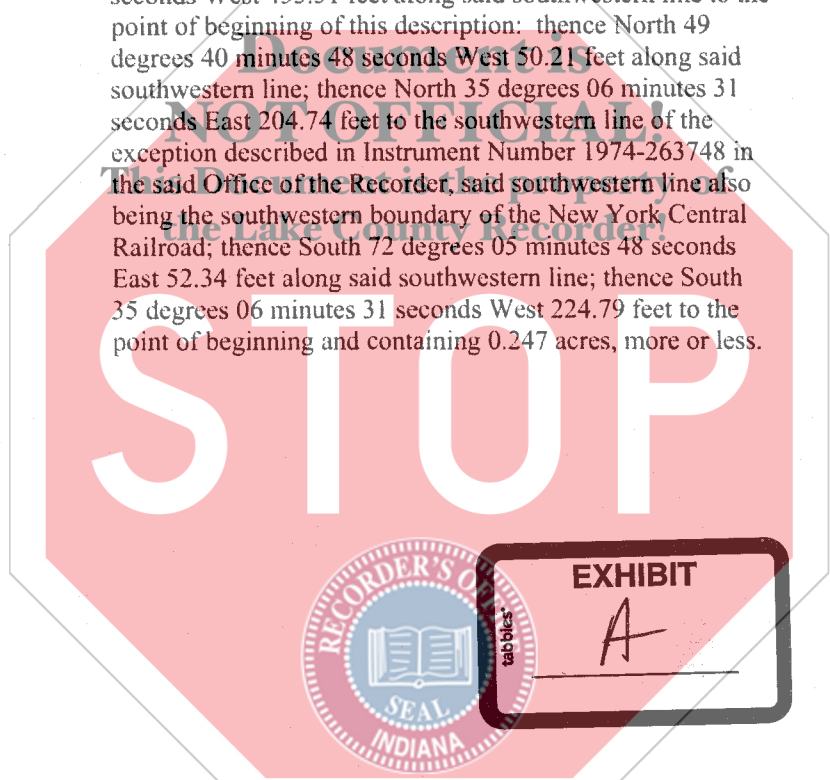


EDIT DATE: 3/24/11 EDITED BY: JSTAPLETON P:\2009\00793\DRAWINGS\SURVEY\2009\00793.SV.2011-03-24.117TH STREET.EASEMENT.DWG

**Easement Description**

A part of the Southeast Quarter of Section 6, Township 37 North, Range 9 West, Second Principal Meridian, Lake County, Indiana, described as follows:

Commencing at the southeast corner of said section; thence South 89 degrees 14 minutes 43 seconds West (Indiana State Plane West Zone) 1,058.70 feet along the south line of said section to the southwestern line of Parcel I described in Instrument Number 95026816 in the Office of the Recorder of Lake County, said southwestern line being the former southwestern boundary of the Pittsburgh, Fort Wayne and Chicago Railroad; thence North 49 degrees 40 minutes 48 seconds West 455.51 feet along said southwestern line to the point of beginning of this description; thence North 49 degrees 40 minutes 48 seconds West 50.21 feet along said southwestern line; thence North 35 degrees 06 minutes 31 seconds East 204.74 feet to the southwestern line of the exception described in Instrument Number 1974-263748 in the said Office of the Recorder, said southwestern line also being the southwestern boundary of the New York Central Railroad; thence South 72 degrees 05 minutes 48 seconds East 52.34 feet along said southwestern line; thence South 35 degrees 06 minutes 31 seconds West 224.79 feet to the point of beginning and containing 0.247 acres, more or less.



**Easement Description**

AMERICAN  
**STRUCTUREPOINT**  
INC.

7260 SHADELAND STATION  
INDIANAPOLIS, IN 46256-3957  
TEL 317.547.5580 FAX 317.543.0270  
www.structurepoint.com

DATE: March 24, 2011

DRAWN BY: JLS

JOB NO. 2009.00793

SHEET NO.

2

of

2

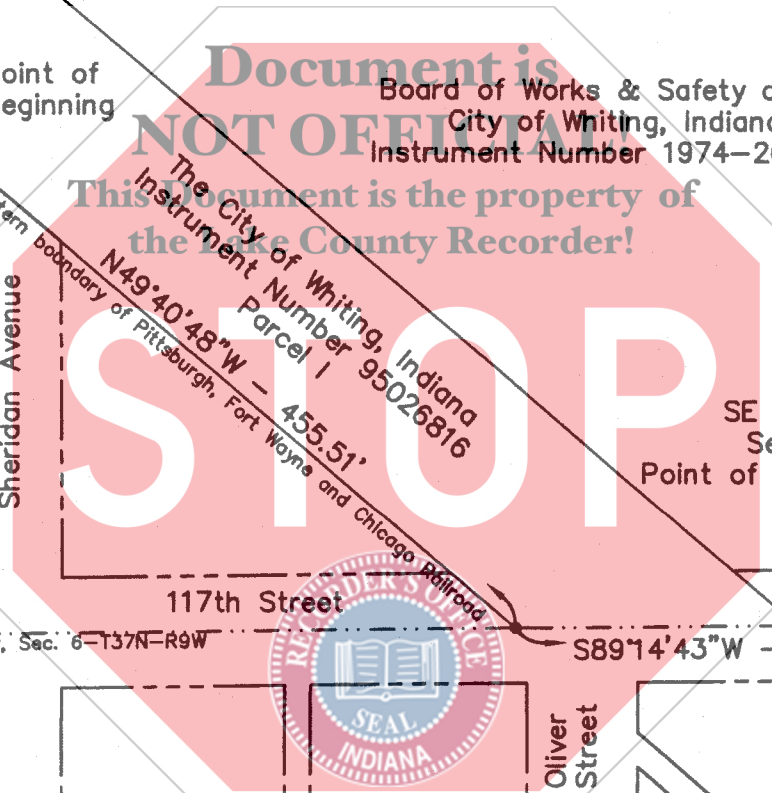
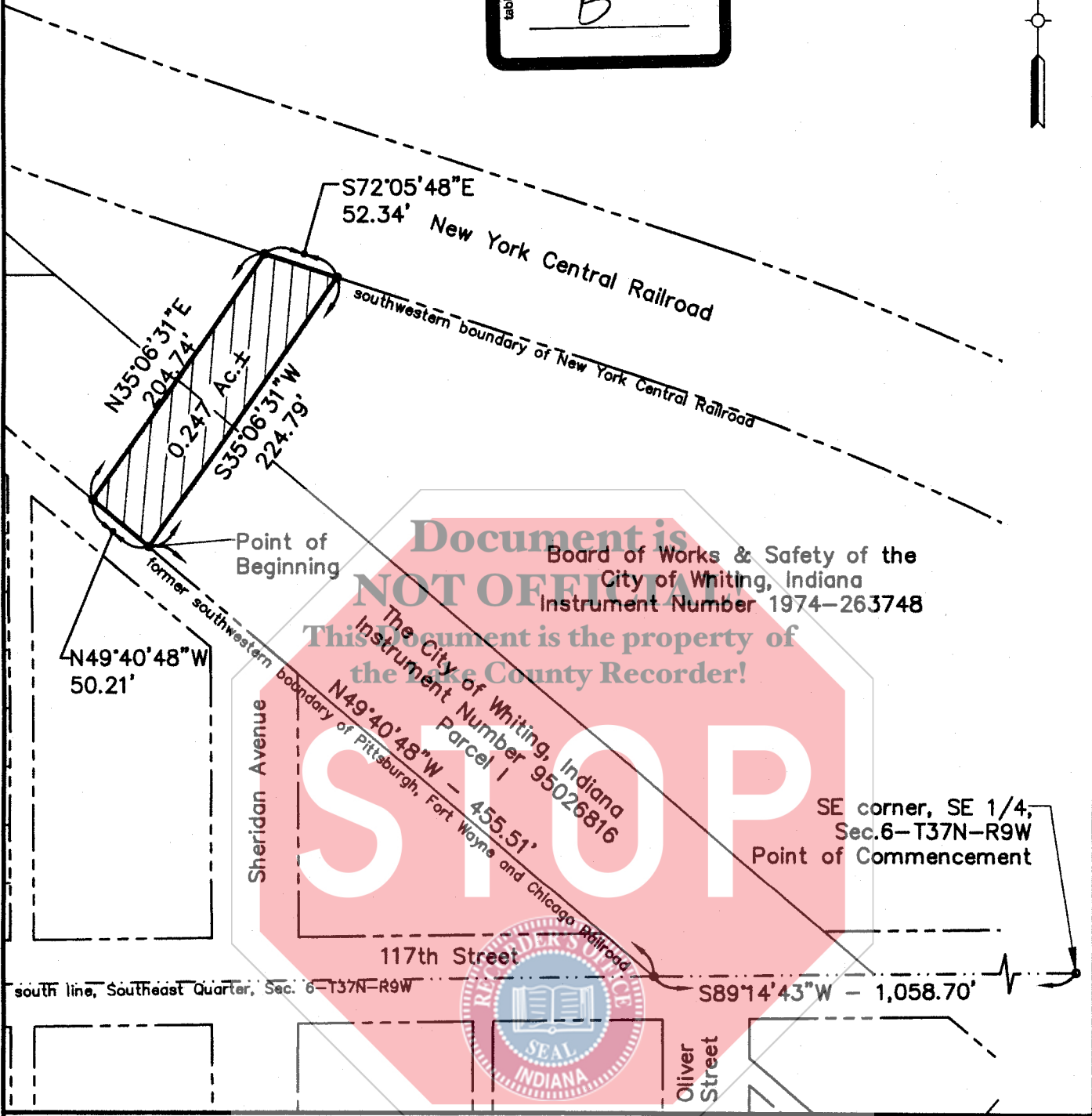
DESC. FILE: electric easement

EXHIBIT  
*B*

0 50' 100'  
 SCALE: 1"=100'



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**Easement Exhibit**

AMERICAN <b>STRUCTUREPOINT</b> INC.	7260 SHADELAND STATION INDIANAPOLIS, IN 46256-3957 TEL 317.547.5580 FAX 317.543.0270 www.structurepoint.com	DATE: March 24, 2011	SHEET NO. 1 of 2
		DRAWN BY: JLS	
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DESC. FILE: electric easement