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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2014 FEB -4 AM 11:02

MICHAEL B. BROWN
RECORDER

CROSS-REFERENCE: In accordance with Ind. Code §32-23-2-5, the easement described herein burdens the real estate acquired by the Grantor by Deed dated August 26, 2013 and recorded August 27, 2013, as Document No. 2013 062880 in the Office of the Recorder of Lake County, Indiana.

NON-EXCLUSIVE ACCESS EASEMENT

THIS AGREEMENT made this 23rd day of December, 2013, by **PRAIRIE POINT PHASE 4, LLC**, an Indiana limited liability company, hereinafter sometimes referred to as "Grantor", and **BMO HARRIS BANK, N.A.**, hereinafter sometimes referred to as "Grantee".

WITNESSETH:

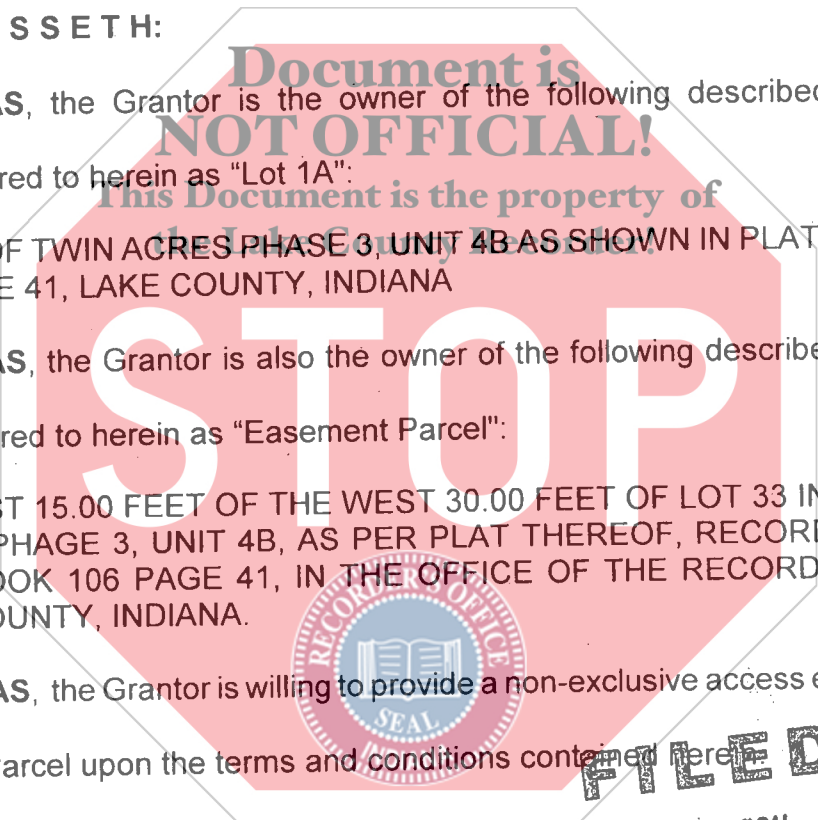
WHEREAS, the Grantor is the owner of the following described real estate, sometimes referred to herein as "Lot 1A":

LOT 1A OF TWIN ACRES PHASE 3, UNIT 4B AS SHOWN IN PLAT BOOK 106 PAGE 41, LAKE COUNTY, INDIANA

WHEREAS, the Grantor is also the owner of the following described real estate, sometimes referred to herein as "Easement Parcel":

THE EAST 15.00 FEET OF THE WEST 30.00 FEET OF LOT 33 IN TWIN ACRES PHASE 3, UNIT 4B, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106 PAGE 41, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

WHEREAS, the Grantor is willing to provide a non-exclusive access easement over the Easement Parcel upon the terms and conditions contained here



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PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

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NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor including but not limited to the loan from Grantee to Grantor, the Grantor covenants and agrees as follows:

1. **GRANT OF EASEMENT.** The Grantor grants a non-exclusive access easement for purposes of ingress and egress to Parcel 1A over the Easement Parcel, to-wit:

THE EAST 15.00 FEET OF THE WEST 30.00 FEET OF LOT 33 IN TWIN ACRES PHAGE 3, UNIT 4B, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106 PAGE 41, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

2. **USES.** It is the intent of the Grantor hereto to provide an ingress/egress access easement for purposes of permitting lender, its officers, employees, agents and/or representatives to have access to Parcel A1 from Cleveland Court, a dedicated public street.

3. **NON-EXCLUSIVE.** This easement granted by the Grantor to the Grantee herein is non-exclusive.

4. **SUCCESSORS AND ASSIGNS; TERMINATION.** This grant of easement shall be for the benefit of Grantee, its successors and assigns and shall terminate upon the payment and release of record of the following described Real Estate Mortgage, Security Agreement and Financing Statement:

Real Estate Mortgage, Security Agreement and Financing Statement from Prairie Point Phase 4, LLC, an Indiana limited liability company, to BMO Harris Bank N.A. in the principal amount of \$14,940,000.00, dated September 30, 2013 and recorded October 8, 2013 as Document No. 2013 073764 in the Office of the Recorder of Lake County, Indiana.

IN WITNESS WHEREOF, the Grantor has executed this Non-Exclusive Access Easement the date and year first above written.

GRANTOR:

PRAIRIE POINT PHASE 4, LLC, an Indiana limited liability company

By: *Donald J. Weiss*
DONALD J. WEISS, Manager

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for said County and State, this 23rd day of December, 2013, personally appeared **Prairie Point Phase 4, LLC by its Manager, Donald J. Weiss**, and acknowledged the execution of the foregoing Non-Exclusive Access Easement.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

Denise Kessler
Denise Kessler, Notary Public

My Commission Expires: June 25, 2016
County of Residence: Porter

This instrument prepared by Richard E. Anderson, #2408-45
Anderson & Anderson, P.C.
Barrister Court
9211 Broadway
Merrillville, IN 46410
(219) 769-1892

