

2014 050911

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MICHAEL B. BROWN
RECORDER

Form PHE-1
Rev. 7-1-07

PERPETUAL DRAINAGE EASEMENT

KEY NO.: 45-13-07-100-003.000-046
CROSS REF.: 1971-85941

Project: 61st Ave. - Phase 3
Des. No.: 0900071
Parcel: 33A
Page: 1 of 3

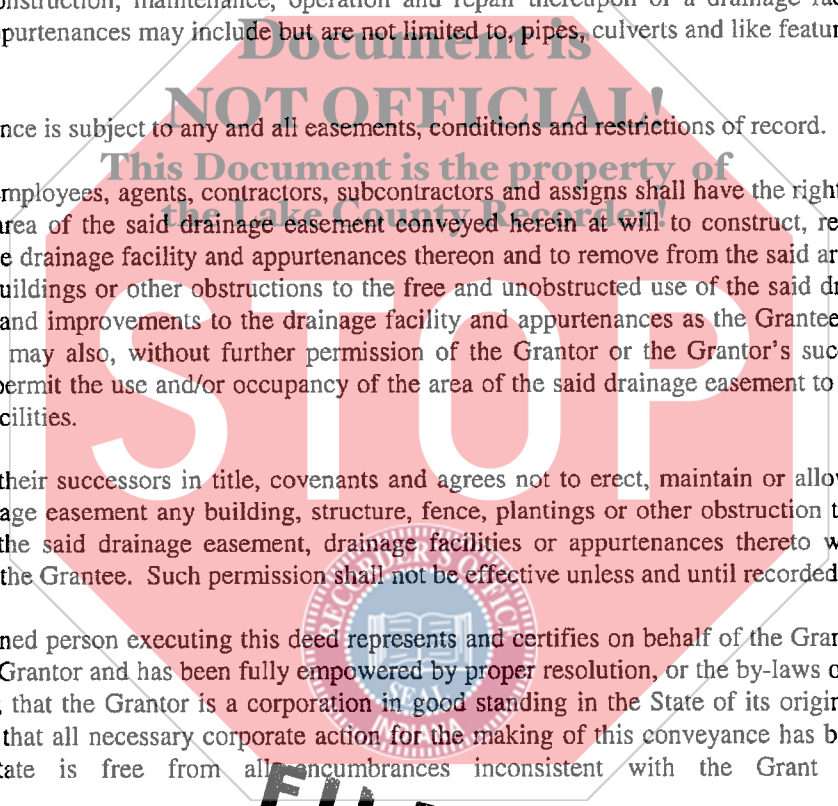
THIS INDENTURE WITNESSETH, That Northern Indiana Public Service Company, the Grantor, Conveys and Warrants to the CITY OF HOBART, Indiana, the Grantee, for and in consideration of the sum of One Thousand Three Hundred Dollars (\$1,300.00) (of which said sum \$1,300.00 represents land encumbered and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, a perpetual easement and right of way in, under and upon certain Real Estate situated in the County of Lake _____, State of Indiana, and which is more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference, for the purpose of the construction, reconstruction, maintenance, operation and repair thereupon of a drainage facility and appurtenances thereto, which said appurtenances may include but are not limited to, pipes, culverts and like features necessary for the said drainage facility.

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

Grantee, its employees, agents, contractors, subcontractors and assigns shall have the right to enter in, under, over, along and upon the area of the said drainage easement conveyed herein at will to construct, reconstruct, maintain, and continue to operate the drainage facility and appurtenances thereon and to remove from the said area any encroaching trees or other vegetation, buildings or other obstructions to the free and unobstructed use of the said drainage easement, and to make such alteration and improvements to the drainage facility and appurtenances as the Grantee may deem necessary or useful. The Grantee may also, without further permission of the Grantor or the Grantor's successors in title, bargain, convey or otherwise permit the use and/or occupancy of the area of the said drainage easement to place, replace, maintain, and repair drainage facilities.

Grantor and their successors in title, covenants and agrees not to erect, maintain or allow to continue within the area of the said drainage easement any building, structure, fence, plantings or other obstruction to the Grantee's free and unobstructed use of the said drainage easement, drainage facilities or appurtenances thereto without the prior express written permission of the Grantee. Such permission shall not be effective unless and until recorded.

The undersigned person executing this deed represents and certifies on behalf of the Grantor, that he/she is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the by-laws of the Grantor, to execute and deliver this deed; that the Grantor is a corporation in good standing in the State of its origin and, to convey the real estate described; and that all necessary corporate action for the making of this conveyance has been duly taken; warrants that said Real Estate is free from all encumbrances inconsistent with the Grant contained herein; and



FILED
AUG 25 2014
PEGGY HOLINGA KATONAK
LAKE COUNTY AUDITOR

014625

IRJ \$20.00
M &
CASH

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warrant that they will defend Grantee's title in said easement against all claims. This easement granted herein, and its associated benefits and obligations, shall run with said Real Estate. This indenture shall bind and inure to the benefit of the successors and assigns of the Grantee.

IN WITNESS WHEREOF, the said Grantor have executed this instrument this 11TH day of August, 2014.

NORTHERN INDIANA PUBLIC SERVICE COMPANY

Timothy A. Dehring
Signature:

TIMOTHY A. DEHRING
Printed Name:

Attest:
John R. Carr
Signature:

JOHN R. CARR
Printed Name:

STATE OF INDIANA

COUNTY OF LAKE



Before me, a Notary Public in and for said State and County, personally appeared TIMOTHY A. DEHRING AND JOHN R. CARR, the Sr VP Trans/Eng & Ldr Real Estate of the Northern Indiana Public Service Company, the Grantor in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be their voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 11TH day of August, 2014.

Jill J. Boganwright
Signature:

Jill J. Boganwright
Printed Name:

My Commission expires 10/14/2016

I am a resident of LAKE County.

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Interests in land acquired by City of Hobart

I affirm under penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. Anthony DeBonis, Jr.

This instrument prepared by: Anthony DeBonis, Jr., Hobart City Attorney
SMITH & DeBONIS, LLC
9696 Gordon Drive
Highland, IN 46322

Grantee's mailing and tax bill address:
414 Main Street
Hobart, IN 46342

Legal Description prepared by Butler, Fairman & Seufert, Inc.



Exhibit "A"
PARCEL 33A
Drainage Easement
61st Avenue, Hobart, Indiana

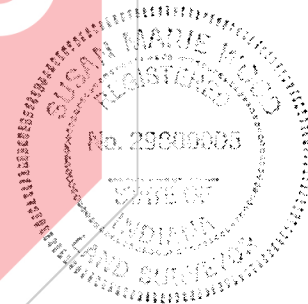
Key No.: 45-13-07-100-003.000-046

Sheet: 1 of 1

A part of the Northeast Quarter of the Northwest Quarter of Section 7, Township 35 North, Range 7 West, Lake County, Indiana and that part of the grantors' land described in Instrument No. 1971-85941 in the Office of the Recorder of Lake County, lying within the easement lines depicted on the attached Parcel Plat marked Exhibit "B", described as follows: Beginning on the north line of said section, North 89 degrees 10 minutes 16 seconds West (assumed bearing) 625.69 feet from the northeast corner of said quarter section, said point of beginning designated as point "830" on said plat; thence South 0 degrees 39 minutes 20 seconds East 182.53 feet to the point designated as "832" on said plat; thence South 48 degrees 09 minutes 30 seconds West 106.30 feet to the point designated as ""834" on said plat; thence North 64 degrees 05 minutes 26 seconds West 22.36 feet to the point designated as "833" on said plat; thence North 50 degrees 15 minutes 02 seconds East 103.08 feet to the point designated as "831" on said plat; thence North 0 degrees 39 minutes 20 seconds West 178.05 feet to the north line of said section designated as point "829" on said plat; thence South 89 degrees 10 minutes 16 seconds East 20.01 feet along said north line to the point of beginning and containing 0.128 acres, more or less.

Given this 28th day of November, 2012.

Susan M. Wood
Susan M. Wood, L.S.
Registered Land Surveyor
State of Indiana, No. 29800005



This description was prepared for the City of Hobart, Indiana by Butler, Fairman & Seufert, Inc.

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PARCEL NO. : 33A
 PROJECT NO. : 0900071
 ROAD NAME : 61ST AVENUE
 COUNTY : LAKE
 SECTION : 7
 TOWNSHIP : 35 N.
 RANGE : 7 W.

OWNER : NORTHERN INDIANA PUBLIC SERVICE COMPANY
 INSTRUMENT NO. 1971-85941, DATED 01/07/1971

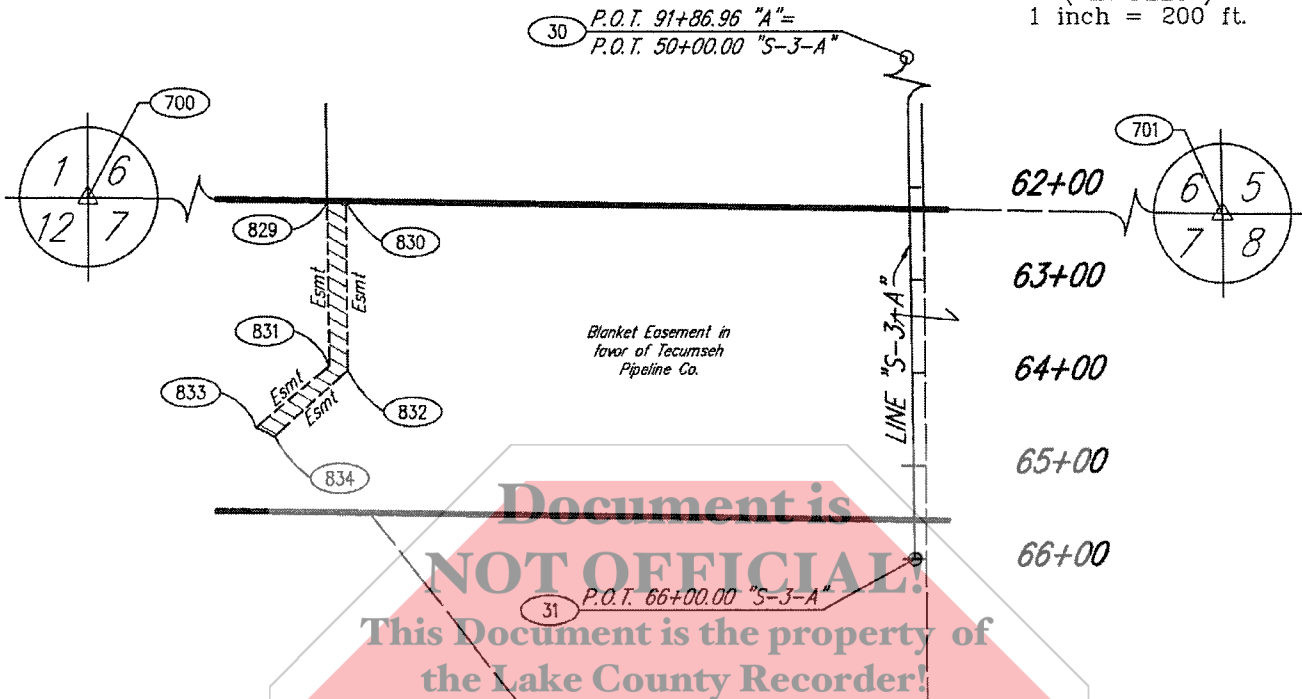
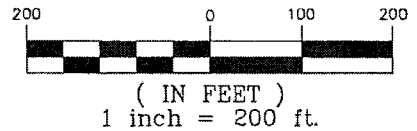
DRAWN BY: CVS 11/14/2012
 CHECKED BY: SMW 11/19/2012
 SCALE: 1" = 200'
 SHEET 1 OF 1

 HATCHED AREA IS THE APPROXIMATE EASEMENT

THIS PLAT WAS PREPARED FROM INFORMATION OBTAINED FROM THE RECORDER'S OFFICE AND OTHER SOURCES WHICH WERE NOT NECESSARILY CHECKED BY A FIELD SURVEY.

EXHIBIT "B"

GRAPHIC SCALE



PARCEL COORDINATE CHART

POINT	STATION	OFFSET	CL	NORTH	EAST
30	50+00.00	P.O.T.	"S-3-A"	2281081.0257	2902031.1833
31	66+00.00	P.O.T.	"S-3-A"	2279481.1305	2902049.4916
829	+P.L.(62+06.95)	630.00 Rt.	"S-3-A"	2279866.9423	2901415.0353
830	+P.L.(62+07.47)	610.00 Rt.	"S-3-A"	2279866.6528	2901435.0400
831	63+85.00	630.00 Rt.	"S-3-A"	2279688.9075	2901417.0727
832	63+90.00	610.00 Rt.	"S-3-A"	2279684.1367	2901437.1286
833	64+50.00	710.00 Rt.	"S-3-A"	2279622.9963	2901337.8217
834	64+60.00	690.00 Rt.	"S-3-A"	2279613.2258	2901357.9348

SEE LOCATION CONTROL ROUTE SURVEY PLAT FOR POINTS 700 & 701

NOTE: STATIONS AND OFFSETS CONTROL OVER NORTH & EAST COORDINATES AND BEARINGS & DISTANCES

SURVEYORS STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey Plat" recorded as Instrument #2011027561 in the Office of the Recorder of LAKE County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

ROUTE SURVEY PLAT

Prepared for - CITY OF HOBART
 by Butler, Fairman and Seufert, Inc. (Job #4950.0601)

Project = 4950RW 11-28-12 AT 12:45 CVS 1
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Susan M. Wood 11/28/12
 Susan M. Wood Date
 L.S. 29800005