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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
SPACE RESERVED FOR
2015 SEP -3 PM 1:53
LAKE COUNTY, INDIANA RECORDER'S OFFICE
MICHAEL B. BROWN
RECORDER

2015 060068

FILED

SEP 03 2015

JOHN E. PETALAS
LAKE COUNTY AUDITOR

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

WHEREAS, the Board of Parks and Recreation of the Town of Munster, Indiana ("THE BOARD") having GRANTED, IMPOSED and PERPETUATED a permanent restrictive covenant on property legally described and depicted in PERMANENT RESTRICTIVE COVENANT BY MUNSTER PARKS AND RECREATION DEPARTMENT OF THE TOWN OF MUNSTER, INDIANA recorded in the Office of the Lake County, Indiana Recorder on October 20, 2010 as document number 2010 060886 ("THE COVENANT"), and



WHEREAS, THE BOARD, made THE COVENANT under the terms of use in an agreement with the United States Department of the Interior, National Parks Service (The NATIONAL PARKS SERVICE) pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964) and known as Project Agreement No. 18-00523 ("THE AGREEMENT") and subsequent amendments to the project agreement, and

WHEREAS, THE BOARD, with approval of THE NATIONAL PARKS SERVICE, desires to further amend THE AGREEMENT, and

WHEREAS, THE BOARD, in order to further amend THE AGREEMENT has applied to and submitted to the NATIONAL PARKS SERVICE, through the Office of the Chief, State and Community Outdoor Recreation Planning Section, Division of Outdoor Recreation, Indiana Department of Natural Resources, 402 West Washington Street, W271, Indianapolis, Indiana 46204 for a portion of the property legally described and depicted in THE COVENANT to be withdrawn from THE COVENANT and replaced, and

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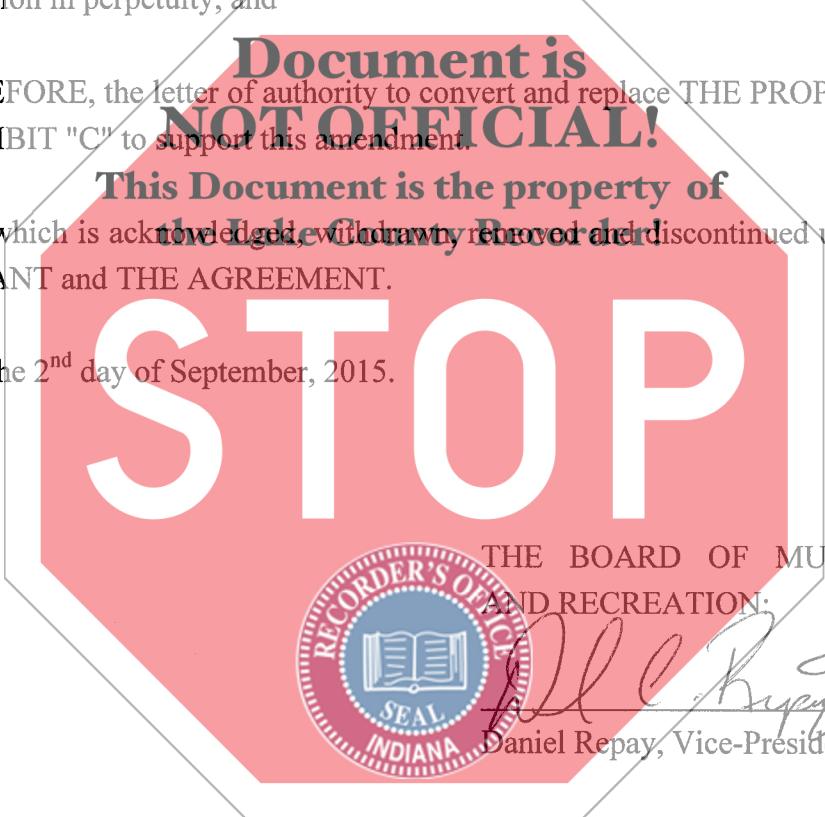
WHEREAS, having made said application and said submittal, THE BOARD has received notification from THE NATIONAL PARKS SERVICE, through the Office of the Chief, State and Community Outdoor Recreation Planning Section, Division of Outdoor Recreation, Indiana Department of Natural Resources, 402 West Washington Street, W271, Indianapolis, Indiana 46204, by way of a letter dated August 31, 2012, that a portion of the property in THE AGREEMENT and THE COVENANT will be withdrawn from THE COVENANT and replaced under the terms of Project Agreement No. 18-00523, Amendment Number 4. The portion of the property to be withdrawn and replaced is legally described in EXHIBIT "A" and graphically depicted in EXHIBIT "B", both being attached to and made a part hereof, consisting of 15.6155 acres, more or less, ("THE PROPERTY").

NOW, THEREFORE, THE PROPERTY described in Exhibit A having been converted and replaced, THE PROPERTY is no longer subject to the terms of use in THE AGREEMENT or THE COVENANT that provided for the retention and use of THE PROPERTY as public outdoor recreation in perpetuity, and

THEREFORE, the letter of authority to convert and replace THE PROPERTY is attached hereto as EXHIBIT "C" to support this amendment.

All of which is acknowledged, will drawy removed and discontinued under the terms of THE COVENANT and THE AGREEMENT.

Dated the 2nd day of September, 2015.

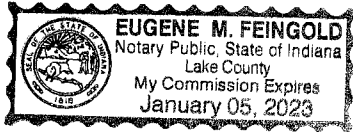


THE BOARD OF MUNSTER PARKS AND RECREATION:


Daniel Repay, Vice-President

State of Indiana)
)SS
County of Lake)

Before me, the undersigned, a Notary Public in and for the State of Indiana, County of Lake, personally appeared DANIEL REPAY and acknowledged his execution of the foregoing document for and on behalf of the Board on this 2nd day of September, 2015, for the uses and purposes set forth therein.



E M Feingold
Notary Public

Commission Expires: _____

County of Residence: _____

The undersigned states, upon his oath, under penalties for perjury, that he has redacted any social security numbers, except those required by law.

Date: Sept. 2, 2015 By: E M Feingold

This Document is the property of

the Lake County Recorder
This instrument was prepared by Randall E. Gann, Indiana Licensed Professional Land Surveyor, (Registration Number LS29600023) of South Holland, Cook County, Illinois and modified by Eugene M. Feingold, Attorney at Law, (Attorney #6801-45) of Munster, Lake County, Indiana.



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 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 north line of the south 27.00 feet of the Southwest Quarter 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, 1219.70 feet to the northeasterly line of the 100.00 foot wide 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, 1580.38 feet, to a point 31.50 feet, as measured along the northeasterly line of the 100.00 foot wide 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, southeasterly of the south line of the Southwest Quarter of said Section 30; thence South 52 degrees 14 minutes 41 seconds West, at right angles to the last described line, 205.72 feet, to a tangential curve to the right; thence westerly along said tangential curve to the right having an arc length of 513.33 feet, a radius of 305.00 feet, a chord length of 454.85 feet, and a chord bearing of North 79 degrees 32 minutes 23 seconds West, to a tangential line; thence North 31 degrees 19 minutes 28 seconds West, along said tangential line, 94.29 feet, to

the north line of the south 27.00 feet of the Southwest Quarter of said Section 30; thence South 88 degrees 40 minutes 46 seconds West, along said north line, 318.15 feet, to the Point of Beginning.

Containing 15.6155 acres (680,211.6 square feet) more or less



EXHIBIT "B"

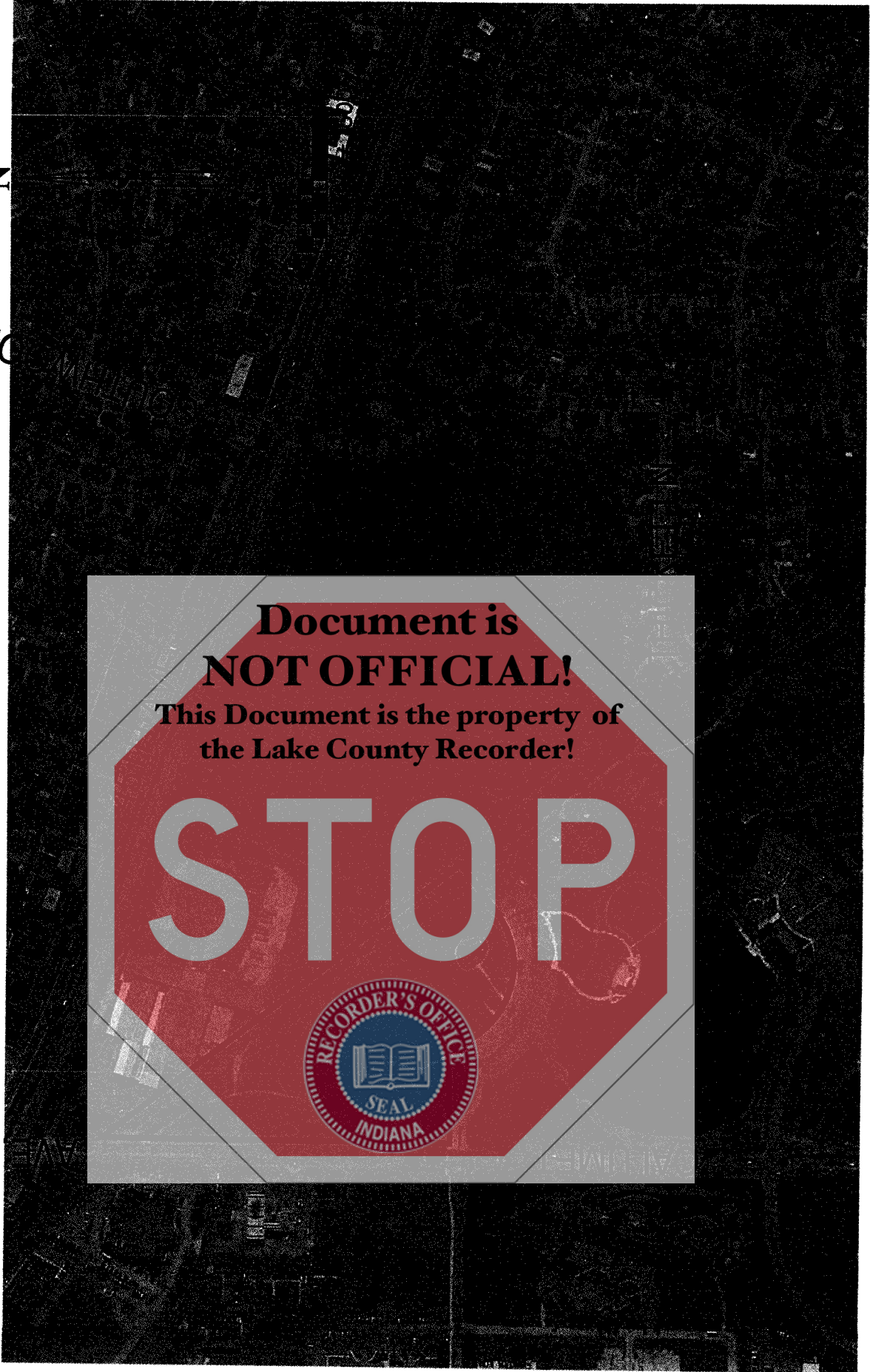


EXHIBIT "C"



United States Department of the Interior



National Park Service

Midwest Region
601 Riverfront Drive
Omaha, Nebraska 68102-4226

18-00523(MWR-P/G)

Mr. Robert J. Bronson
Chief, State and Community Outdoor
Recreation Planning Section
Division of Outdoor Recreation
Indiana Department of Natural Resources
402 West Washington Street, W271
Indianapolis, Indiana 46204

Dear Mr. Bronson:

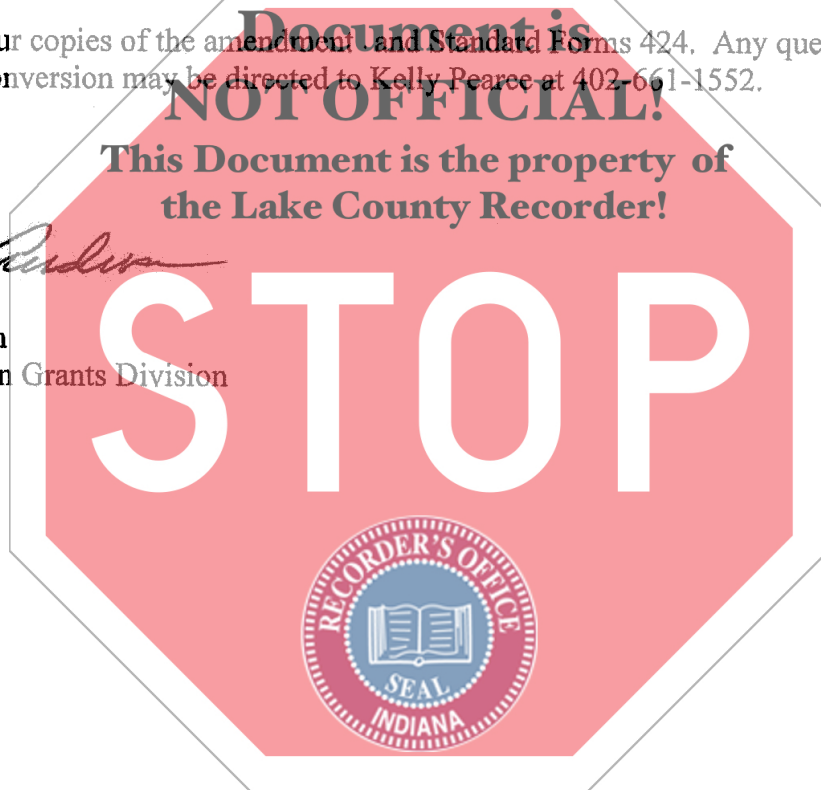
This is to inform you of the approval for Amendment Number 4 to project 18-00523. This amendment converts 15.62 acres of Centennial Park in Munster, Indiana. Replacement of the converted property will be deferred for up to one year from the date of this approval letter.

Enclosed are your copies of the amendment and Standard Forms 424. Any questions you have related to this conversion may be directed to Kelly Pearce at 402-661-1552.

Sincerely,

Robert Anderson
Chief, Recreation Grants Division

Enclosures 2



TAKE PRIDE[®]
IN AMERICA 

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

STATE INDIANA

Project Amendment No. 18-00523.4

AMENDMENT TO PROJECT AGREEMENT

THIS AMENDMENT To Project Agreement No. 18-00523 is hereby made and agreed upon by the United States of America, acting through the Director of the National Park Service and by the State of INDIANA pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964).

The State and the United States, in mutual consideration of the promises made herein and in the agreement of which this is an amendment, do promise as follows:

That the above mentioned agreement is amended by adding the following:

15.62 acres of the 44.6 acre Cenntennial Park in Munster, Indiana will be converted and replacement properties will be submitted within one year of the conversion approval.



In all other respects the agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness thereof the parties hereto have executed this amendment as of the date entered below.

THE UNITED STATES OF AMERICA

STATE

By Robert [Signature]
(Signature)

Indiana
(State)

CHIEF, RECREATION GRANTS DIVISION
(Title)

By Robert J. Bronson
(Signature)

National Park Service
United States Department of the Interior

Robert J. Bronson
(Name)

Date 20 MAR 2013

Alternate State Liaison Officer
(Title)

Paperwork Reduction Act Statement: This form is authorized by the Land and Water Conservation Act of 1965 (LWCF Act) (16 U.S.C. 4601-4 et seq.). Your response is required to obtain or retain a benefit. We use this information to document changes made to original grant agreements. Your response is not valid OMB control number is displayed. We estimate that it will take 3 hours to complete this form, including time necessary to review instructions, gather data and review the form. You may direct comments regarding the burden estimate or any other aspect of the form to State and Local Assistance Programs, 1849 C Street N.W., Mail Stop 2225, Washington DC 20240