

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2015 072403

2015 OCT 26 PM 2:03

MICHAEL B. BROWN
RECORDER

INDOT DES #1382594
PIN: 45-15-23-156-006.000-043

Parent Parcel No. 6C
Location Address: 7914 Lake Shore Drive
Cedar Lake, IN 46303

TEMPORARY CONSTRUCTION EASEMENT GRANT
(DRIVEWAY)

This Indenture Witnesseth That GRANTOR: **E-5, LLC, an Indiana Limited Liability Company**, of Lake County, Indiana, Grants to GRANTEE: **Town of Cedar Lake, Lake County, Indiana, a Municipal Corporation**, for and in consideration One Hundred and No/100 Dollars (\$100.00), (of which sum \$0.00 represents land improvements acquired and \$100.00 represents land temporarily encumbered and damages) and other good and valuable consideration, the receipt whereof is hereby acknowledged, a Temporary Easement to enter upon and have possession of the Real Estate of the GRANTOR for the purpose of construction thereupon of a driveway servicing the GRANTOR'S property to and from the highway facility known as **CLINE AVENUE AND LAKE SHORE DRIVE ROUNDABOUT** and INDOT Project DES #1382594, which said Real Estate situated in Lake County, Indiana, and which is more particularly described in the legal description attached hereto as Exhibit "A" which is incorporated herein by reference, which said Temporary Easement shall be extinguished, become void and revert to the GRANTOR and/or GRANTOR'S successor(s) in title one (1) year after acceptance of improvements by GRANTEE.

Any and all timber, shrubbery, fences, buildings and any other improvements situated within the area of the Temporary Easement granted herein shall become the property of the GRANTEE, except:

None

GRANTOR acknowledges that all provisions of the grant of Temporary Easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, GRANTOR, for the purposes of inducing GRANTEE to accept this grant and to pay the hereinbefore referenced consideration, represents that GRANTOR is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens (except current real estate taxes and assessments) of any kind or character which would be inconsistent with the temporary rights granted herein.

The undersigned represent and warrant that they are the Members of the Grantor; that the Grantor is a Limited Liability Company validly existing in the State of Indiana; that the Grantor has full company capacity to convey the real estate interest described; that pursuant to a resolution of the Members of the Grantor or the Operating Agreement of the Grantor they have full authority to execute and deliver this instrument on its behalf and that said authority has not been revoked; that they are therefore, fully authorized and empowered to convey to the Town of Cedar Lake, Indiana real estate of the

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JOHN E. PETALAS
LAKE COUNTY AUDITOR

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Grantor, and that on the date of execution of said conveyance instruments they had full authority to so act; and that all necessary company action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, E-5, LLC, an Indiana Limited Liability Company, as Grantor, has executed this

instrument this 17th day of September, 2015

Kurt R. Eenigenburg (Seal)
Signature

Signature (Seal)

Kurt R. Eenigenburg, member
Printed Name & Title

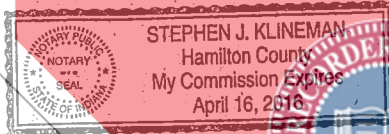
Printed Name & Title

STATE OF Indiana
COUNTY OF Lake

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Before me, the undersigned, a Notary Public in and for said County and State, this 17th day of Sept, 2015,

personally appeared Kurt R. Eenigenburg, Member and of E-5, LLC
who acknowledged the execution of the foregoing Deed. In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.



Notary Public
Resident of _____ County,
State of _____

[Signature]
Signature

My Commission Expires: _____

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. This document was prepared by David M. Austgen, AUSTGEN KUIPER JASAITIS P.C., 130 N. Main Street, Crown Point, Indiana 46307.

ACKNOWLEDGEMENT AND ACCEPTANCE

This conveyance is accepted by the Town Council of the Town of Cedar Lake, Lake County, Indiana, after action at a Public Meeting of the Town Council of the Town of Cedar Lake, Lake County, Indiana, and whereby the Town Council President and Town Clerk-Treasurer, respectively, were duly authorized to execute and attest this Acknowledgement and Acceptance.

**TOWN OF CEDAR LAKE,
LAKE COUNTY, INDIANA,
A Municipal Corporation**


By: 

Randell C. Niemeyer,
Town Council President

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Attest:


Amy J. Gross, IAMC, MMC, CPM,
Clerk-Treasurer

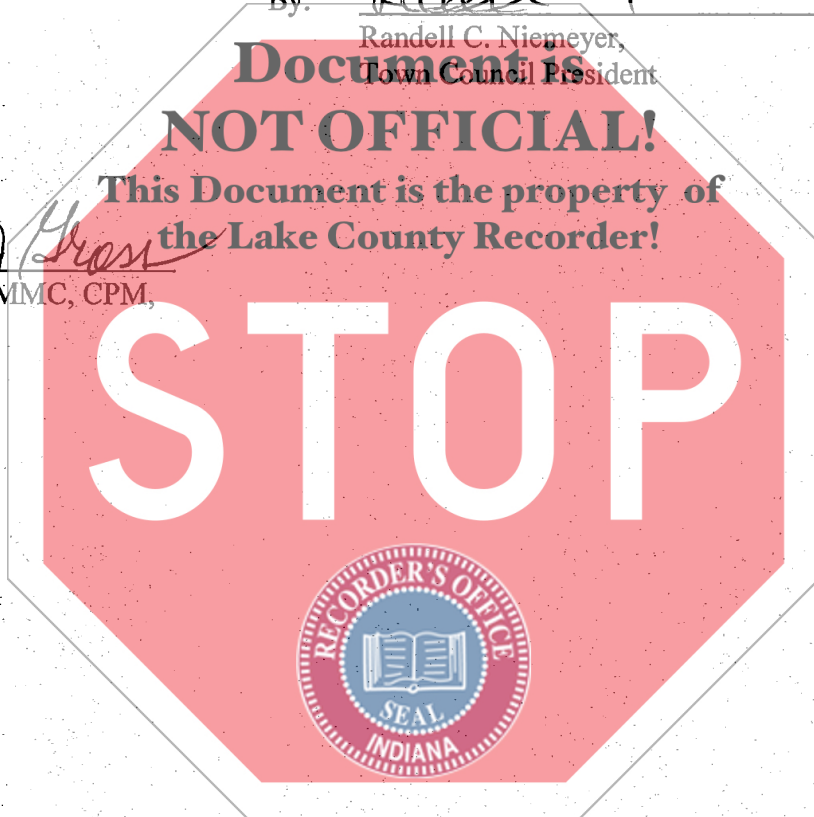
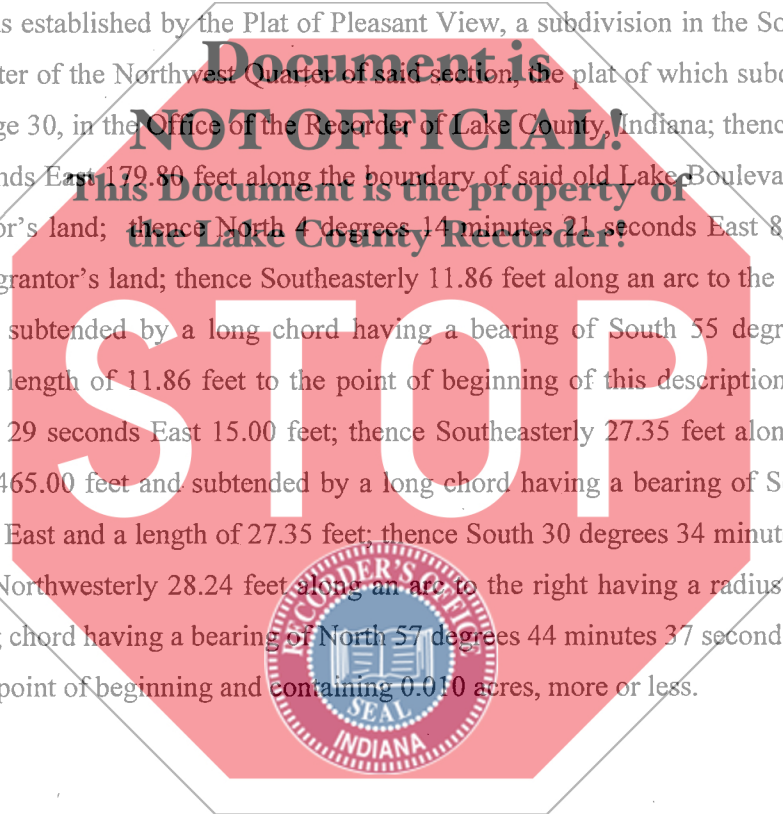


EXHIBIT "A"

Project: 1382594
Parcel 6C – Temporary Right-of-Way for Drive Construction
Key Number: 45-15-23-156-006.000-043
Form: T-1

Sheet 1 of 1

A part of the West Half of the West Half of Section 23, Township 34 North, Range 9 West, Lake County, Indiana, and being that part of the grantor's land, described as follows: Commencing at the southwest corner of the Northwest Quarter of said section; thence North 0 degrees 12 minutes 23 seconds East 64.18 feet along the west line of said section to the northern boundary of old Lake Boulevard (possibly vacated) as established by the Plat of Pleasant View, a subdivision in the Southwest Quarter of the Southwest Quarter of the Northwest Quarter of said section, the plat of which subdivision is recorded in Plat Book 14, page 30, in the Office of the Recorder of Lake County, Indiana; thence South 78 degrees 29 minutes 42 seconds East 179.80 feet along the boundary of said old Lake Boulevard to the southwest corner of the grantor's land; thence North 4 degrees 14 minutes 21 seconds East 80.45 feet along the western line of the grantor's land; thence Southeasterly 11.86 feet along an arc to the left having a radius of 480.00 feet and subtended by a long chord having a bearing of South 55 degrees 21 minutes 03 seconds East and a length of 11.86 feet to the point of beginning of this description: thence North 33 degrees 56 minutes 29 seconds East 15.00 feet; thence Southeasterly 27.35 feet along an arc to the left having a radius of 465.00 feet and subtended by a long chord having a bearing of South 57 degrees 44 minutes 37 seconds East and a length of 27.35 feet; thence South 30 degrees 34 minutes 16 seconds West 15.00 feet; thence Northwesterly 28.24 feet along an arc to the right having a radius of 480.00 feet and subtended by a long chord having a bearing of North 57 degrees 44 minutes 37 seconds West and a length of 28.23 feet to the point of beginning and containing 0.010 acres, more or less.



This description was prepared for the Town of Cedar Lake, Indiana by Jessica L. Stapleton, Indiana Registered Land Surveyor, License Number LS20600032, on the 17th day of September, 2014.

Jessica L. Stapleton
Revised April 24, 2015 per design changes.

