

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2016 059577

2016 AUG 31 AM 10:42

MICHAEL B. BROWN
RECORDER

PERMANENT EASEMENT AGREEMENT

THIS PERMANENT EASEMENT AGREEMENT made this 2 day of August, 2016, by and between MEADOW LANE APARTMENTS, LLC, an Indiana Limited Liability Company, "GRANTOR", and THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, a Municipal Corporation, acting by and through its duly elected TOWN COUNCIL, "GRANTEE".

GRANTOR states and represents that it owns and has title to certain Real Estate located in Schererville, Lake County, Indiana, and now seeks to grant and convey a Permanent Utility Easement to GRANTEE for stormwater drainage, and all related public utility purposes over the Real Estate.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged by GRANTOR, GRANTOR does hereby grant, convey and warrant unto the GRANTEE, its successors and assigns, forever, a Permanent Easement with the right, privilege and authority in GRANTEE, at its own expense, to enter upon, dig, lay, erect, construct, install, reconstruct, operate, maintain, patrol, continue, repair, keep in repair, deepen, replace and public stormwater drainage improvements and related public utilities as shall be hereafter located and constructed in, on, upon, along, under, over and across the Real Estate owned by GRANTOR, and situated in Schererville, Lake County, Indiana, which Real Estate is herein described and shown on the drawing, prepared by NIES Engineering, Inc., numbered 50-828-11, dated May 23, 2016, and which is attached hereto as Exhibit "A".

LEGAL DESCRIPTION:

A 12.5 FOOT WIDE UTILITY EASEMENT, LOCATED IN THE SOUTHWEST CORNER OF LOT 4, EASTWOOD SUBDIVISION UNIT 3, RECORDED IN PLAT BOOK 46, PAGE 114, AND TRUSTEE'S DEED RECORD 2015 031769, IN THE LAKE COUNTY RECORDERS OFFICE, LAKE COUNTY GOVERNMENT CENTER, CROWN POINT, INDIANA. A STRIP OF LAND, 12.5 FEET WIDE, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 4; THENCE S 88° 45' 01" E, ALONG THE SOUTH LINE OF LOT 4, A DISTANCE OF 117.39 FEET TO THE POINT OF BEGINNING; THENCE N 61° 02' 45" W, A DISTANCE OF 134.04 FEET TO THE WEST LOT LINE OF LOT 4, SAID POINT BEING 62.33 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 4. EASEMENT SIDELINES TO BE EXTENDED OR SHORTENED TO TERMINATE AT THE PARCEL EXISTING EASEMENT LINES, CONTAINING 0.03 ACRE±.

Commonly known as: 2050-2060 Meadow Lane
PIN: 45-11-16-301-011.000-036

The GRANTEE shall have the right, at its expense, to enter along, over and upon the Permanent Easement for the public purposes permitted herein; at will, and to make such alterations, repairs and

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JOHN E. PETALAS
LAKE COUNTY AUDITOR

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improvements therein as may be necessary or useful for such public purposes; further, the GRANTEE shall have the right of ingress and egress over adjoining premises and lands when necessary and without doing damage to the adjoining lands, and only for temporary periods, and shall not otherwise enter upon lands adjoining said Easement.

The GRANTEE covenants that in the installation, maintenance or operation of the public utility improvements, and appurtenances under, upon, over and across the Real Estate in which the Easement is hereby granted, it will, at its own expense, restore the area disturbed by its work to as near the original condition as is practicable.

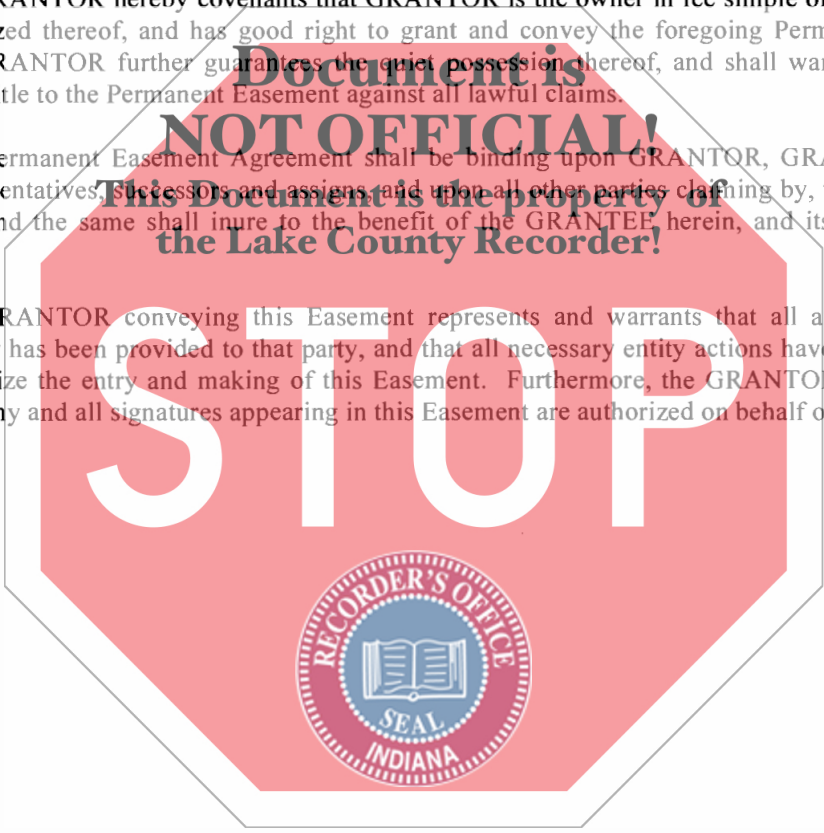
The GRANTOR covenants for GRANTOR, GRANTOR's grantees, heirs, personal representatives, successors and assigns, that GRANTOR shall not erect or maintain any building or other structure or obstruction on or over the Easement granted herein, and gives the GRANTEE the right to remove any such obstruction, or grant additional Easements over, across or on the Real Estate in which the Permanent Easement is hereby granted, except by express written permission from the GRANTEE, in accordance with the terms thereof, which permission, when in writing and recorded, shall run with the Real Estate.

Full right and authority is hereby granted unto the GRANTEE, its successors and assigns, to assign or convey to another or others, this grant of Permanent Easement.

The GRANTOR hereby covenants that GRANTOR is the owner in fee simple of the Real Estate, is lawfully seized thereof, and has good right to grant and convey the foregoing Permanent Easement herein. The GRANTOR further guarantees the quiet possession thereof, and shall warrant and defend GRANTEE'S title to the Permanent Easement against all lawful claims.

This Permanent Easement Agreement shall be binding upon GRANTOR, GRANTOR'S heirs, personal representatives, successors and assigns, and upon all other parties claiming by, through or under GRANTOR, and the same shall inure to the benefit of the GRANTEE herein, and its successors and assigns.

The GRANTOR conveying this Easement represents and warrants that all authorization and entity authority has been provided to that party, and that all necessary entity actions have been taken and done to authorize the entry and making of this Easement. Furthermore, the GRANTOR represents and warrants that any and all signatures appearing in this Easement are authorized on behalf of same.



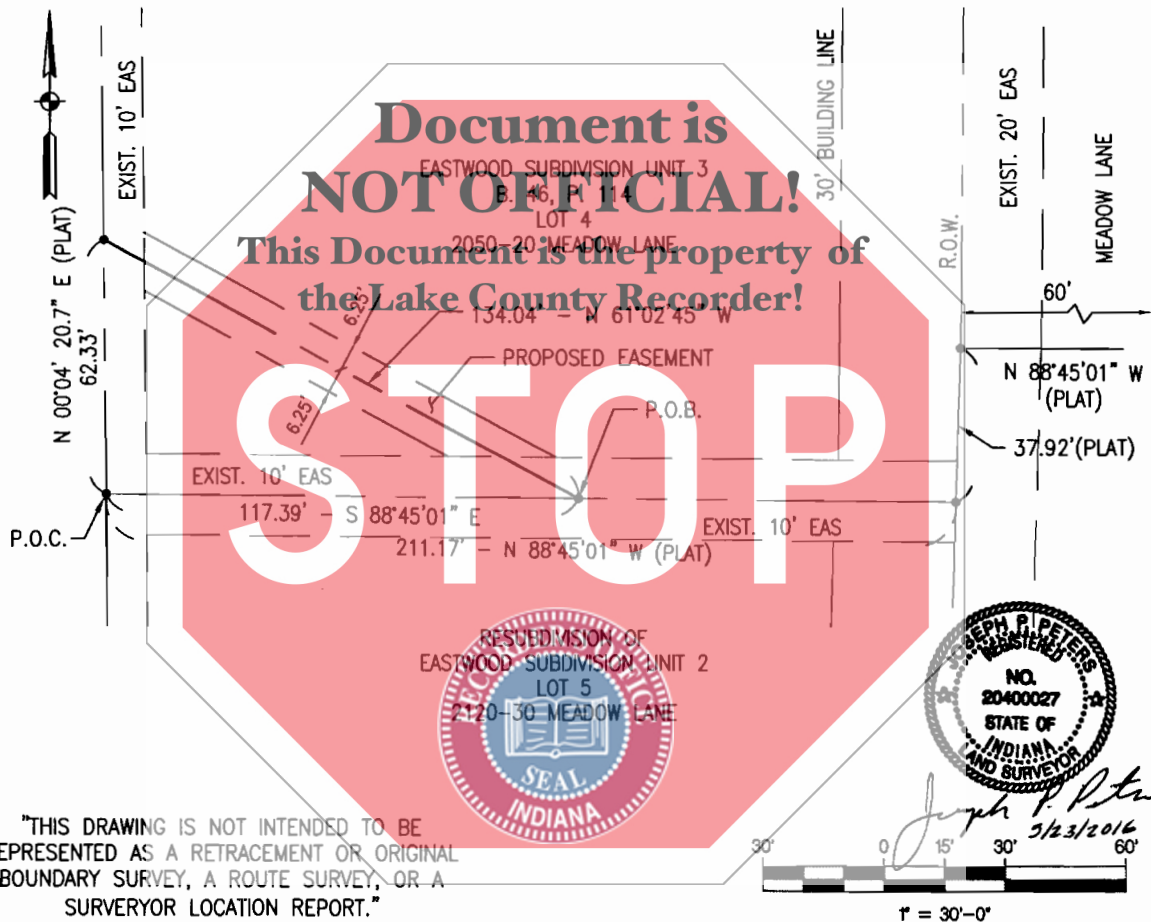
UTILITY EASEMENT

EXHIBIT "A"

OWNER: MEADOW LANE APARTMENTS, LLC
 ADDRESS: 2050-60 MEADOW LANE
 CITY, STATE: SCHERERVILLE, INDIANA 46375
 PROPERTY NUMBER: 45-11-16-301-011.000-036
 RECORD: TRUSTEE'S DEED 2015 031769

UTILITY EASEMENT DESCRIPTION:

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SHEET 1 OF 2	Designed: NJS	Customer: TOWN OF SCHERERVILLE
	Drawn: MJH	Project Name: EASTWOOD SUBDIVISION STORM SEWER IMPROVEMENTS
	Checked: JPP	Project Number: 50-828-11
	Date & Time: 05/23/16 - 11:19	
Drawing Title: UTILITY EASEMENT - 2050-60 MEADOW LN.		engineering, Inc. 2421 173 rd Street, Hammond, Indiana, 46323 Phone: (219) 844 8680 Fax: (219) 844 7754 Your Vision • Our Focus
Sub Title: EASTWOOD SUB UNIT 3 LOT 4		
Drawing Filename: X:\Projects\Scherville\50-828-11\Storm S & Meadow Ln - Storm Sewer\DWG\50-828-11\MEADOW MEADOW STORM\DWG\50-828-11\AS		
Horizontal Scale: 1:30	Vertical Scale:	