

AGREEMENT TO CONVEY EASEMENT

This Agreement is made this 11th day of March, 2013, by and between Dominic S. and Elizabeth Gagliardi, Husband and Wife, hereinafter referred to as "Grantor," and the Dominic S. and Elizabeth Gagliardi, Husband and Wife, hereinafter referred to as "Grantee."

RECITALS

A. Grantor is the owner of certain real property commonly known as 6800 East Old Lincoln Highway, Hobart, Lake County, Indiana 46342, and more fully described as follows:

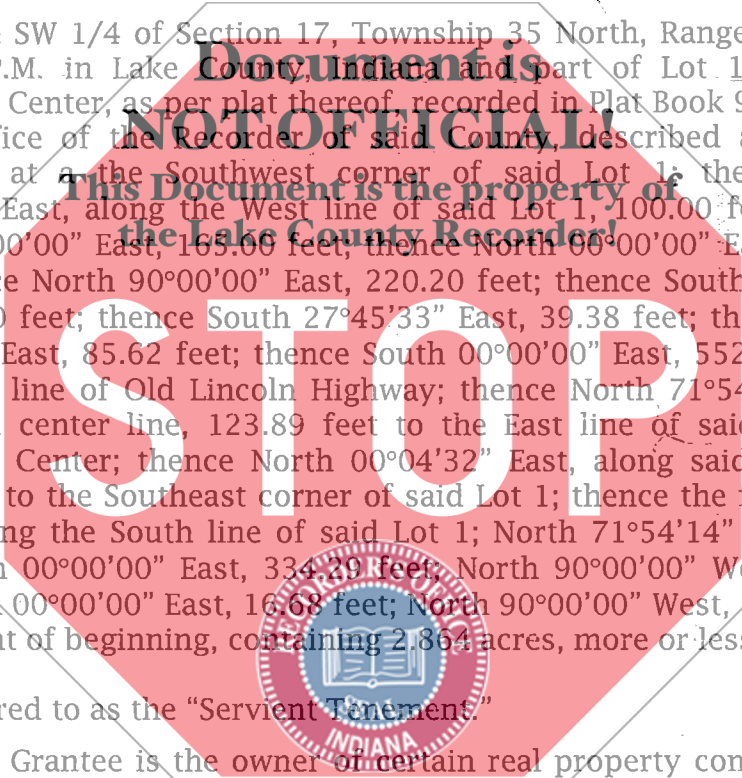
Part of the SW 1/4 of Section 17, Township 35 North, Range 7 West of the 2nd P.M. in Lake County, Indiana and part of Lot 1, Excelsior Equestrian Center, as per plat thereof, recorded in Plat Book 94 page 86, in the Office of the Recorder of said County, described as follows: Beginning at a the Southwest corner of said Lot 1; thence North 00°00'00" East, along the West line of said Lot 1, 100.00 feet; thence North 90°00'00" East, 165.00 feet; thence North 00°00'00" East, 116.68 feet; thence North 90°00'00" East, 220.20 feet; thence South 43°10'23" East, 24.60 feet; thence South 27°45'33" East, 39.38 feet; thence North 90°00'00" East, 85.62 feet; thence South 00°00'00" East, 552.39 feet to the center line of Old Lincoln Highway; thence North 71°54'14" West, along said center line, 123.89 feet to the East line of said Excelsior Equestrian Center; thence North 00°04'32" East, along said East line, 31.55 feet to the Southeast corner of said Lot 1; thence the following course along the South line of said Lot 1; North 71°54'14" West, 2.49 feet; North 00°00'00" East, 334.29 feet; North 90°00'00" West, 270.90 feet; South 00°00'00" East, 16.68 feet; North 90°00'00" West, 115.00 feet to the point of beginning, containing 2.864 acres, more or less.

Hereinafter referred to as the "Servient Tenement."

B. The Grantee is the owner of certain real property commonly known as 6780 East Old Lincoln Highway, Hobart, Lake County, Indiana 46342, hereinafter referred to as the "Dominant Tenement," more particularly described as follows:

Part of the SW 1/4 of Section 17, Township 35 North, Range 7 West of the 2nd P.M. in Lake County, Indiana and part of Lot 1, Excelsior Equestrian Center, as per plat thereof, recorded in Plat Book 94, page 86, in the Office of the Recorder of said County, described as follows: Commencing at the Southwest corner of said Lot 1; thence North 00°00'00" East, along the West line of said Lot 1, 100.00 feet to the point of beginning; thence North 90°00'00" East, 165.00 feet; thence North 00°00'00" East, 116.68 feet; thence North 90°00'00" East, 220.20 feet; South 43°10'23" East, 24.60 feet; thence South 27°45'33" East, 39.38 feet; thence North 90°00'00" East, 85.62 feet; thence North 00°00'00" East, 1477.84 feet to the Easterly prolongation of the North line of said Lot 1; thence North 89°36'00" West, along said North line and Easterly

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LAKE COUNTY
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JOHN E. PETALAS
LAKE COUNTY AUDITOR

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prolongation thereof, 506.00 feet to the West line of said Lot 1; thence South 00°00'00" East, along said West line, 1545.27 feet to the point of beginning, containing 17.138 acres, more or less.

C. The Grantee desires to acquire certain rights in the Servient Tenement.

IT IS THEREFORE AGREED BY THE PARTIES:

Grant of Easement

Grantor hereby grants to Grantee an easement as hereinafter described.

Character of Easement

The easement granted herein is appurtenant to the Dominant Tenement.

Description of Easement

The easement granted herein shall be used for the purpose of providing ingress and egress from Old Lincoln Highway through the above-described Servient Tenement to the Dominant Tenement.

Location

The easement rights and privileges granted herein are located as follows:

A 25-foot strip of land, being part of the SW 1/4 of Section 17, Township 35 North, Range 7 West of the 2nd P.M. in Lake County, Indiana and part of Lot 1, Excelsior Equestrian Center, as per plat thereof, recorded in Plat Book 94 page 86, in the Office of the Recorder of said County, lying 12.5 feet on each side of the following described center line: Commencing at a the Southeast corner of said Lot 1; thence South 71°54'14" East, along the center line of Old Lincoln Highway, 23.56 feet to the point of beginning of said center line; thence North 00°00'00" East, 508.55 feet; thence North 27°45'33" West, 44.01 feet; thence North 43°10'23" West, 36.24 feet to the point of terminus, the side lines of said easement to be extended or shortened to terminate on the lines that said center line begins and terminates on.

Exclusiveness of Easement

The easement, rights, and privileges granted herein are exclusive, and Grantor covenants that he will not convey any other easement or conflicting rights within the area covered by this grant.

Secondary Easements

The easement granted herein includes incidental rights of maintenance, repair, and replacement.

Entire Agreement

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect. Any modification of this Agreement must be in writing and must be signed by the party to be charged.

Attorney's Fees

In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees, and costs

This Agreement shall bind and inure to the benefit of the respective parties, personal representatives, successors, and assigns of the parties hereto.

Executed at HOBART, Indiana, on the 11th day and year first above written.

GRANTOR:

Dominic S. Gagliardi
DOMINIC S. GAGLIARDI
Elizabeth Gagliardi
ELIZABETH GAGLIARDI

GRANTEE:

Dominic S. Gagliardi
DOMINIC S. GAGLIARDI
Elizabeth Gagliardi
ELIZABETH GAGLIARDI

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

SUBSCRIBED AND SWORN TO before me by Dominic Gagliardi
Elizabeth Gagliardi who personally appeared before me and is/are known to me to be the person(s) described herein and who executed the foregoing affidavit and acknowledged that same was executed as his/her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 11th day of March, 2013.

My Commission Expires:
11.18.18

Kathy Wenzel
Notary Public
Residing in LAKE COUNTY, INDIANA

