

9

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2019 022838

2019 APR 22 AM 9:37

MICHAEL B. BROWN
RECORDER

PERMANENT EASEMENT for PUBLIC UTILITIES AND DRAINAGE

THIS INDENTURE WITNESSETH THAT, Thieneman Homes, Inc., Owner of the real estate described in a deed recorded as document 2006 050601, said deed being attached hereto, hereby grant to the Town of Winfield, and public utility companies, including AT&T and Northern Indiana Public Service Company, severally, and private utility companies where they have a certificate of territorial authority to render service and their respective successors and assigns, for good and valuable compensation, the receipt of which is hereby acknowledged, a permanent non-exclusive Public Utility and Drainage Easement (PUDE) over the strips of land, contained within said real estate referenced above, said strip described in attached Exhibit A1, A2 and A3 and shown on attached Exhibit B1, B2 and B3.

Said easement is further described as follows:

A NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE TOWN OF WINFIELD, AND PUBLIC UTILITY COMPANIES, INCLUDING AT&T AND NORTHERN INDIANA PUBLIC SERVICE COMPANY, SEVERALLY, AND PRIVATE UTILITY COMPANIES WHERE THEY HAVE A CERTIFICATE OF TERRITORIAL AUTHORITY TO RENDER SERVICE AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, PLACE AND MAINTAIN SEWERS (STORM AND SANITARY), WATER MAINS, GAS MAINS, DRAINAGE SWALES, CONDUITS, CABLES, POLES AND WIRES UNDERGROUND WITH ALL NECESSARY BRACES, GUYS, ANCHORS, AND OTHER APPLIANCES IN, UPON, UNDER, OVER OR ALONG THE STRIPS OF LAND DESIGNATED ON THE PLAT AND MARKED "PUBLIC UTILITY AND DRAINAGE EASEMENT" FOR THE PURPOSE OF SERVING WYNDANCE SUBDIVISION AND THE PUBLIC IN GENERAL WITH SEWER (STORM AND SANITARY), GAS, WATER, ELECTRIC AND TELEPHONE SERVICE, AND FOR THE PURPOSE OF HANDLING THE STORM WATER AND/OR SURFACE DRAINAGE RUNOFF, INCLUDING THE RIGHT TO USE THE STREETS AND/OR ROADWAY EASEMENT AREAS WHERE NECESSARY, TOGETHER WITH THE RIGHT TO ENTER UPON THE SAID EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE AT ALL TIMES FOR ANY AND ALL OF THE PURPOSES AFORESAID AND TO TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE WITH ANY SUCH UTILITY EQUIPMENT. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT FOR SUCH PUBLIC UTILITY PURPOSES.

FILED

APR 22 2019

JOHN E. PETALAS
LAKE COUNTY AUDITOR

001466

\$ 25.00
[Signature]

IN WITNESS THEREOF, the undersigned hereby represent and warrant that they have executed this document as their own free acts and deeds.

Executed this 18th day of APRIL, 2019.

By: Thieneman Homes, Inc.

By: *[Signature]*, SECRETARY/TREASURER

Kenneth D. Thieneman,
Printed name and title

Thieneman Homes, Inc.
521 84TH Drive, Suite A
Merrillville, Indiana 46410

Document is NOT OFFICIAL!

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STATE OF INDIANA)

COUNTY OF LAKE)

HAMILTON

Before me, a Notary Public, in and for said County and State, this 18th day of April, 2019, personally appeared the above signed who acknowledged the execution of the foregoing instrument as his free act and deed.

My Commission Expires:

JAN 06 2022

[Signature]
Notary Public



I affirm, under penalties of perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.

[Signature]

Timothy J. Murphy, P.L.S.

This Instrument Prepared By:
Manhard Consulting LTD
900 Springer Drive
Lombard, IL 60148

**EXHIBIT A1
WYNDANCE SUBDIVISION PHASE 1
TOWN OF WINFIELD, INDIANA**

THAT PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 34 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN IN LAKE COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 7, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF WYNDANCE SUBDIVISION PHASE 1 RECORDED AS DOCUMENT NO. 2007 033701; THENCE SOUTH 00 DEGREES 11 MINUTES 48 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 7 AND THE EAST LINE OF SAID WYNDANCE SUBDIVISION PHASE 1, A DISTANCE OF 4.74 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 109TH AVENUE PER DOCUMENT NO. 2007-033701; THENCE NORTH 89 DEGREES 23 MINUTES 47 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 34.23 FEET; THENCE SOUTH 88 DEGREES 26 MINUTES 10 SECONDS WEST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 566.84 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF FAYETTE STREET PER DOCUMENT NO. 2007 033701; THENCE SOUTH 00 DEGREES 35 MINUTES 15 SECONDS EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 147.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 35 MINUTES 15 SECONDS EAST, A DISTANCE OF 206.76 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 109TH COURT PER DOCUMENT 2007 033701; THENCE SOUTH 89 DEGREES 48 MINUTES 11 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID FAYETTE STREET; THENCE NORTH 00 DEGREES 35 MINUTES 15 SECONDS WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 206.70 FEET; THENCE NORTH 89 DEGREES 24 MINUTES 45 SECONDS EAST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,067 SQUARE FEET (0.047 ACRES) MORE OR LESS.



**EXHIBIT A2
WYNDANCE SUBDIVISION PHASE 3
TOWN OF WINFIELD, INDIANA**

THAT PART OF LOT 21 AND LOT 22 IN WYNDANCE SUBDIVISION PHASE 3, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 34 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 2018 IN BOOK 111 OF PLATS, PAGE 78 AS DOCUMENT NUMBER 2018 062949, IN LAKE COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY MOST CORNER OF SAID LOT 21 AND THE NORTHWESTERLY CORNER OF LOT 22; THENCE NORTH 59 DEGREES 14 MINUTES 06 SECONDS EAST, ALONG THE SOUTHEASTERLY LINE OF SAID LOT 21 AND THE NORTHERLY LINE OF LOT 22, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTHWESTERLY, ALONG A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 445.00 FEET, AN ARC DISTANCE OF 7.50 FEET, A CHORD BEARING NORTH 31 DEGREES 15 MINUTES 24 SECONDS WEST, AND A CHORD DISTANCE OF 7.50 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 59 DEGREES 13 MINUTES 34 SECONDS EAST, A DISTANCE OF 146.92 FEET; THENCE SOUTH 54 DEGREES 07 MINUTES 49 SECONDS EAST, A DISTANCE OF 13.85 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 12 SECONDS EAST, A DISTANCE OF 4.49 FEET; THENCE SOUTH 59 DEGREES 13 MINUTES 34 SECONDS WEST, A DISTANCE OF 156.28 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHWESTERLY, ALONG A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 445.00 FEET, AN ARC DISTANCE OF 7.50 FEET, A CHORD BEARING NORTH 30 DEGREES 17 MINUTES 27 SECONDS WEST, AND A CHORD DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,255 SQUARE FEET (0.052 ACRES) MORE OR LESS.



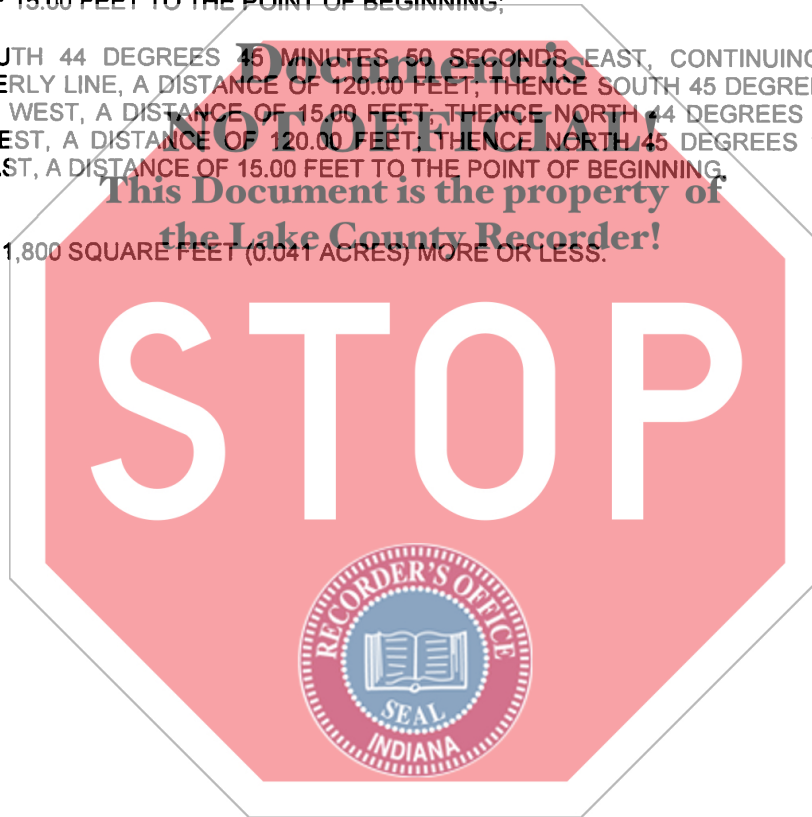
**EXHIBIT A3
WYNDANCE SUBDIVISION PHASE 3
TOWN OF WINFIELD, INDIANA**

THAT PART OF LOT 46 IN WYNDANCE SUBDIVISION PHASE 3, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 34 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 2018 IN BOOK 111 OF PLATS, PAGE 78 AS DOCUMENT NUMBER 2018 062949, IN LAKE COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY MOST CORNER OF SAID LOT 46; THENCE SOUTH 44 DEGREES 45 MINUTES 50 SECONDS EAST, ALONG THE NORTHEASTERLY LINE OF SAID LOT 46, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 44 DEGREES 45 MINUTES 50 SECONDS EAST, CONTINUING ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 120.00 FEET; THENCE SOUTH 45 DEGREES 14 MINUTES 10 SECONDS WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 44 DEGREES 45 MINUTES 50 SECONDS WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 45 DEGREES 14 MINUTES 10 SECONDS EAST, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,800 SQUARE FEET (0.041 ACRES) MORE OR LESS.



**EXHIBIT B-1
PUBLIC UTILITY DRAINAGE & EASEMENT LOCATION**



109th AVENUE

HERETOFORE DEDICATED PER DOCUMENT NO. 92057907

NORTH LINE OF THE N.W. QUARTER OF SEC. 7-34-7

N.E. CORNER OF WYNDANCE
SUBDIVISION PHASE 1
PER DOCUMENT NO. 2007 033701

S 88°26'10" W 566.84'

N 89°24'45" E
10.00'

S 00°35'15" E
147.00'

N 89°23'47" W 34.23'
S 00°11'48" E 4.74'

EAST LINE OF THE N.W. QUARTER OF SEC. 7-34-7

N.E. CORNER OF THE N.W. QUARTER OF SEC. 7-34-7

**POINT OF
COMMENCEMENT**

UNSUBDIVIDED LAND
IJAL LLC AND GMAS LLC

OUTLOT F

110

111

112

WYNDANCE SUBDIVISION PHASE 1

RECORDED APRIL 23, 2007 AS DOCUMENT 2007 033701 IN PLAT BOOK 101, PAGE 31

FAYETTE STREET

HERETOFORE DEDICATED PER
DOCUMENT NO. 2007 033701

206.70'

N 00°35'15" W

S 00°35'15" E

206.76'

S 89°48'11" W

10.00'

S 88°26'10" W

566.84'

**Document is
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**10' PUBLIC UTILITY &
DRAINAGE EASEMENT**

STOP



EAST 109th AVENUE

OUTLOT G

126

130

129

WYNDANCE SUBDIVISION PHASE 1

RECORDED APRIL 23, 2007 AS DOCUMENT 2007 033701
IN PLAT BOOK 101, PAGE 31

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Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

**WYNDANCE SUBDIVISION- PHASE 1
TOWN OF WINFIELD, INDIANA
P.U.D.E. LOCATION**

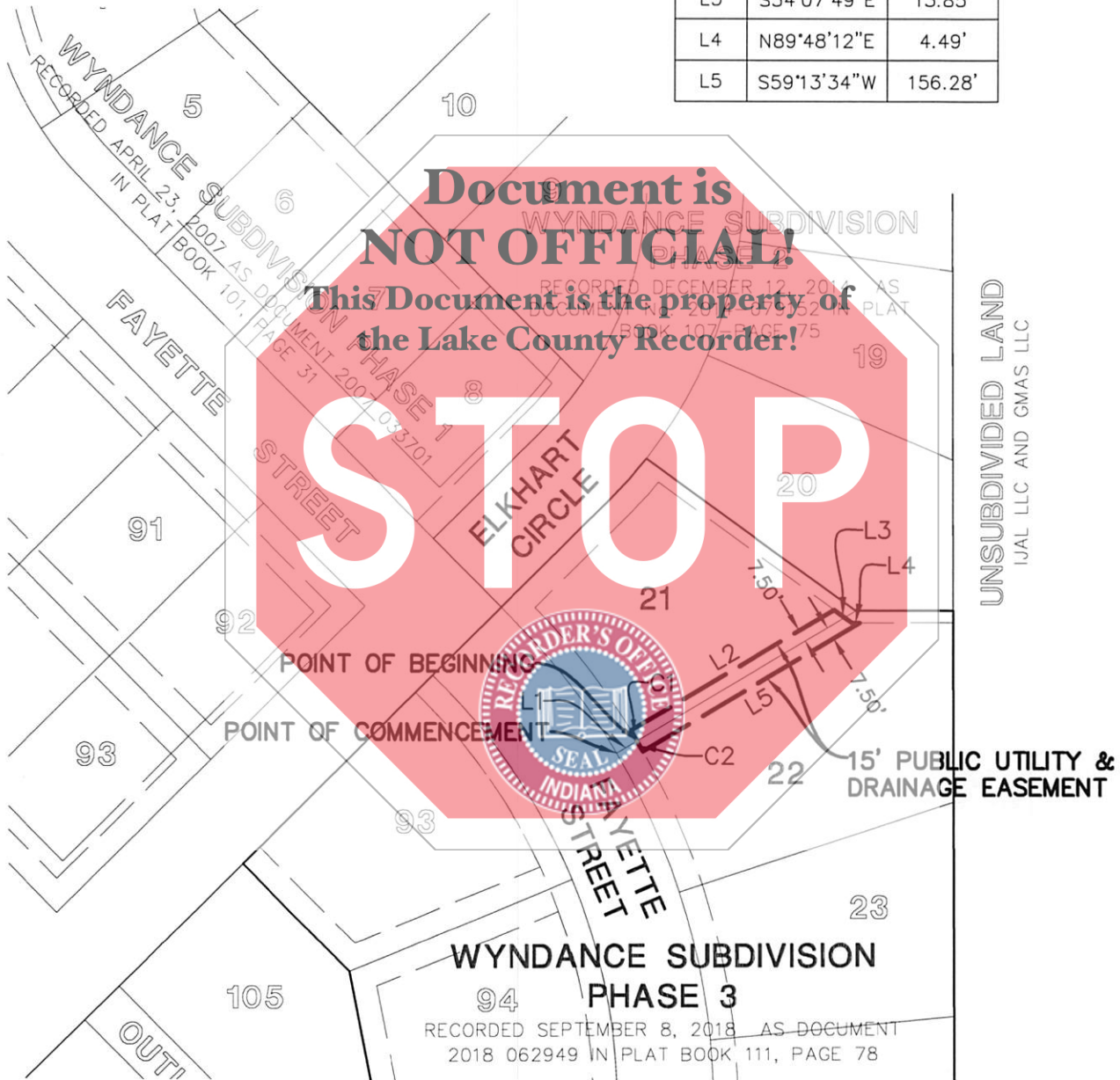
PROJ. MGR.: TJM
DRAWN BY: RC
DATE: 04/09/19
SCALE: 1" = 100'

SHEET
EXHIBIT B-1
TCIWII 060075

**EXHIBIT B-2
PUBLIC UTILITY & DRAINAGE EASEMENT LOCATION**

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	445.00'	7.50'	N31°15'24"W	7.50'
C2	445.00'	7.50'	N30°17'27"W	7.50'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N59°14'06"E	15.00'
L2	N59°13'34"E	146.92'
L3	S54°07'49"E	13.85'
L4	N89°48'12"E	4.49'
L5	S59°13'34"W	156.28'



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Manhard
CONSULTING LTD

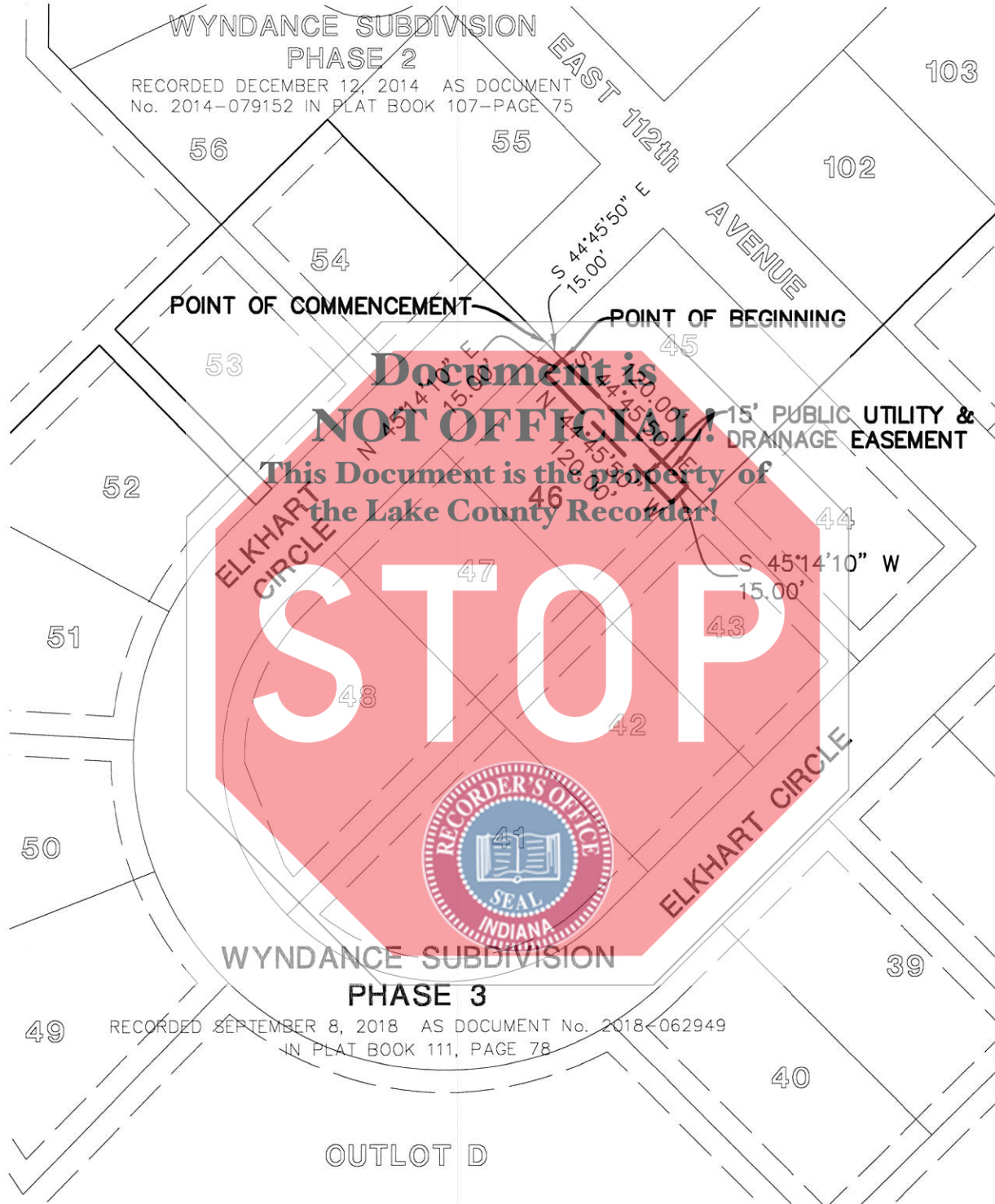
700 Springer Drive, Lombard, IL 60148 ph:630.691.8500 fx:630.691.8585 manhard.com
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

WYNDANCE SUBDIVISION - PHASE 3	
TOWN OF WINFIELD, INDIANA	
P.U.D.E. LOCATION	
PROJ. MGR.: <u>TJM</u>	SHEET
DRAWN BY: <u>RC</u>	EXHIBIT B-2
DATE: <u>04/09/19</u>	TCIWI
SCALE: <u>1" = 100'</u>	060075

Dwg Name: P:\Tciwii\dwg\Surv\Final Drawings\Easements\TCIWI-PH3-PUDE.dwg Updated By: RCompean 08:48

EXHIBIT B-3

PUBLIC UTILITY DRAINAGE & EASEMENT LOCATION



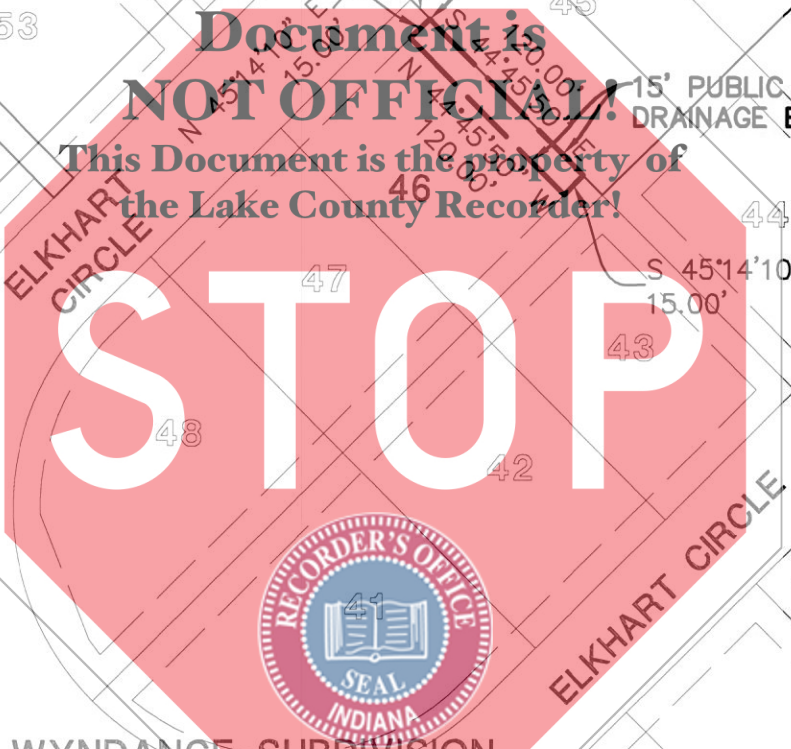
WYNDANCE SUBDIVISION
PHASE 2

RECORDED DECEMBER 12, 2014 AS DOCUMENT
No. 2014-079152 IN PLAT BOOK 107-PAGE 75

POINT OF COMMENCEMENT

POINT OF BEGINNING

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WYNDANCE SUBDIVISION
PHASE 3

RECORDED SEPTEMBER 8, 2018 AS DOCUMENT No. 2018-062949
IN PLAT BOOK 111, PAGE 78

OUTLOT D

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CONSULTING LTD

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Construction Managers • Environmental Scientists • Landscape Architects • Planners

WYNDANCE SUBDIVISION - PHASE 3	
TOWN OF WINFIELD, INDIANA	
P.U.D.E. LOCATION	
PROJ. MGR.: <u>TJM</u>	SHEET
DRAWN BY: <u>RC</u>	EXHIBIT B-3
DATE: <u>04/09/19</u>	TCIWII 060075
SCALE: <u>1" = 100'</u>	

Dwg Name: P:\Tciwii\dwg\Surv\Final Drawings\Easements\TCIWII-PH3-PUDE.dwg Updated By: RCampean 08:48

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2006 050601

2006 JUN 14 AM 9:52

Mail tax bills to:

*5849 E. 105th Pl.
Crown Point, IN 46037*

MICHAEL A. BROWN
RECORDER

WARRANTY DEED

cm 600 60785 0

CHICAGO TITLE INSURANCE COMPANY

THIS INDENTURE WITNESSETH THAT WAYNE C. NELSON and DEBRA L. NELSON, Husband and Wife, of Lake County in the State of Indiana Conveys and warrants to THIENEMAN HOMES, INC, an Indiana Corporation, of Lake County in the State of Indiana, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration the receipt whereof is hereby acknowledged, the following Real Estate in Lake County in the State of Indiana, to wit:

The East Half of the Northwest Quarter of Section 7, Township 34 North, Range 7 West of the Second Principal Meridian, in Lake County, Indiana.

SUBJECT TO: 2004 real estate taxes, payable in 2005
2005 real estate taxes, payable in 2006
Liens, encumbrances, easements and restrictions
Ditches and drains, if any

Dated this 5th day of June, 2006.

Wayne C. Nelson
WAYNE C. NELSON
Debra L. Nelson
DEBRA L. NELSON

STATE OF INDIANA, LAKE COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 5th day of June, 2006, personally appeared: WAYNE C. NELSON and DEBRA L. NELSON, Husband and Wife, and acknowledged the execution of the foregoing deed. In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

Donald R. O'Dell
Donald R. O'Dell-Notary Public
Resident of Lake County

My Commission Expires:
12-20-08

This instrument prepared by: Donald R. O'Dell, Attorney at Law
Box 128, Lowell, IN 46356

DULY ENTERED FOR TAXATION
FINAL ACCEPTANCE FOR TRANSFER

JUN 13 2006

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

009592

16-
CT
SD