

2019-077413

2019 Nov 12

3:05 PM

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
MICHAEL B BROWN
RECORDER

UTILITY EASEMENT

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THIS INDENTURE, made this 6 day of November, 2019, by and between **LATITUDE DEVELOPMENT LLC**, an Indiana limited liability company (hereinafter "Grantor") and **INDIANA-AMERICAN WATER COMPANY, INC.**, a corporation organized and existing under the laws of the State of Indiana, having an office for the transaction of business at 153 North Emerson Avenue, Greenwood, Indiana, 46143 (hereinafter "Grantee").



The Grantor, in consideration of the covenants and agreements hereinafter recited and the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby sell, give, grant and convey unto the Grantee, its successors and assigns, forever, an easement in, under, across and over the real estate of the Grantor, situated in Lake County, Indiana, more particularly described on and as shown on the sketch on Exhibit A, attached hereto and made a part hereof, for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying and adding to from time to time water pipe or pipes, together with all necessary fittings, valves, hydrants, meters, appurtenances and attached facilities, including service lines of its customers, service pipes and laterals and connections for the transmission and distribution of water.

Together with the right to the Grantee, its successors and assigns, to use reasonable additional space adjacent to the above described easement as may be required during the periods of construction and maintenance to (i) enter in and upon the real estate described above with men and machinery, vehicles and material at any and all times for the purpose of installing, maintaining, repairing, renewing or adding to the aforesaid water pipe lines and attached facilities, (ii) remove trees, bushes, undergrowth and other obstructions interfering with the activities authorized herein, and (iii) for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted.

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The right of the Grantor to freely use and enjoy its interest in the real estate is reserved to Grantor, its successors and assigns insofar as the exercise thereof does not endanger or interfere with the construction, operation,

NOV 12 2019
JOHN E. PETALAS
LAKE COUNTY AUDITOR

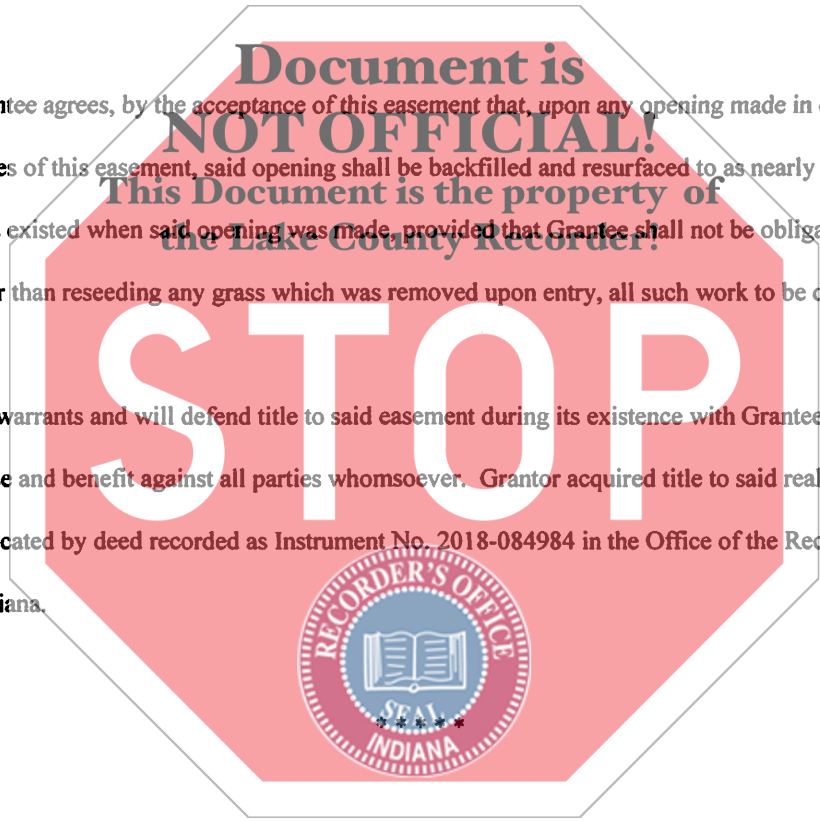
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and maintenance of Grantee's water pipe lines and attached facilities, except that no building, structure or similar improvements shall be erected within said easement, nor shall the grade or ground cover over Grantee's facilities be substantially altered, without the consent of the Grantee. Notwithstanding the foregoing, no other pipes or conduits shall be placed within ten (10) feet, measured horizontally, from the said water pipes except pipes crossing same at right angles, in which latter case, a minimum distance of two (2) feet shall be maintained between the pipes. All sewer pipe shall be laid below the water pipes. No excavation or blasting shall be carried on which in any way endangers or might endanger the water pipe lines and attached facilities.

TO HAVE AND TO HOLD the above granted easement unto the same Grantee, its successors and assigns forever.

The Grantee agrees, by the acceptance of this easement that, upon any opening made in connection with any of the purposes of this easement, said opening shall be backfilled and resurfaced to as nearly as possible the same condition as existed when said opening was made, provided that Grantee shall not be obligated to restore landscaping, other than reseeding any grass which was removed upon entry, all such work to be done at the expense of the Grantee.

Grantor warrants and will defend title to said easement during its existence with Grantee, its successors and assigns, for the use and benefit against all parties whomsoever. Grantor acquired title to said real estate on which the easement is located by deed recorded as Instrument No. 2018-084984 in the Office of the Recorder of Deeds for Lake County, Indiana.



[Signature appears on the following page.]

IN WITNESS WHEREOF, the Grantor has duly executed this INDENTURE, all as of the day and year first above written.

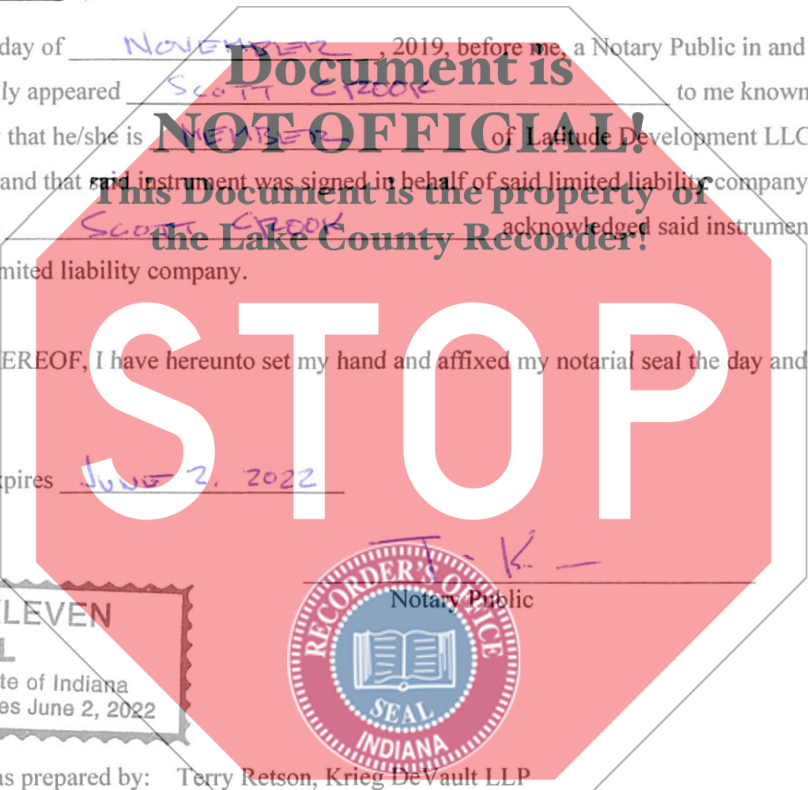
LATITUDE DEVELOPMENT LLC, an Indiana limited liability company

By: [Signature]
(Signature)

Scott T. Crook, owner
(Printed Name and Title)

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

On this 6th day of NOVEMBER, 2019, before me, a Notary Public in and for said County and State, personally appeared SCOTT CROOK to me known, who, being by me duly sworn did say that he/she is MEMBER of Latitude Development LLC, an Indiana limited liability company, and that said instrument was signed in behalf of said limited liability company by authority of its members, and said SCOTT CROOK acknowledged said instrument to be the free act and deed of said limited liability company.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My commission expires June 2, 2022



This instrument was prepared by: Terry Retson, Krieg DeVault LLP
8001 Broadway, Suite 400, Merrillville, Indiana 46410-5552
219-227-6089

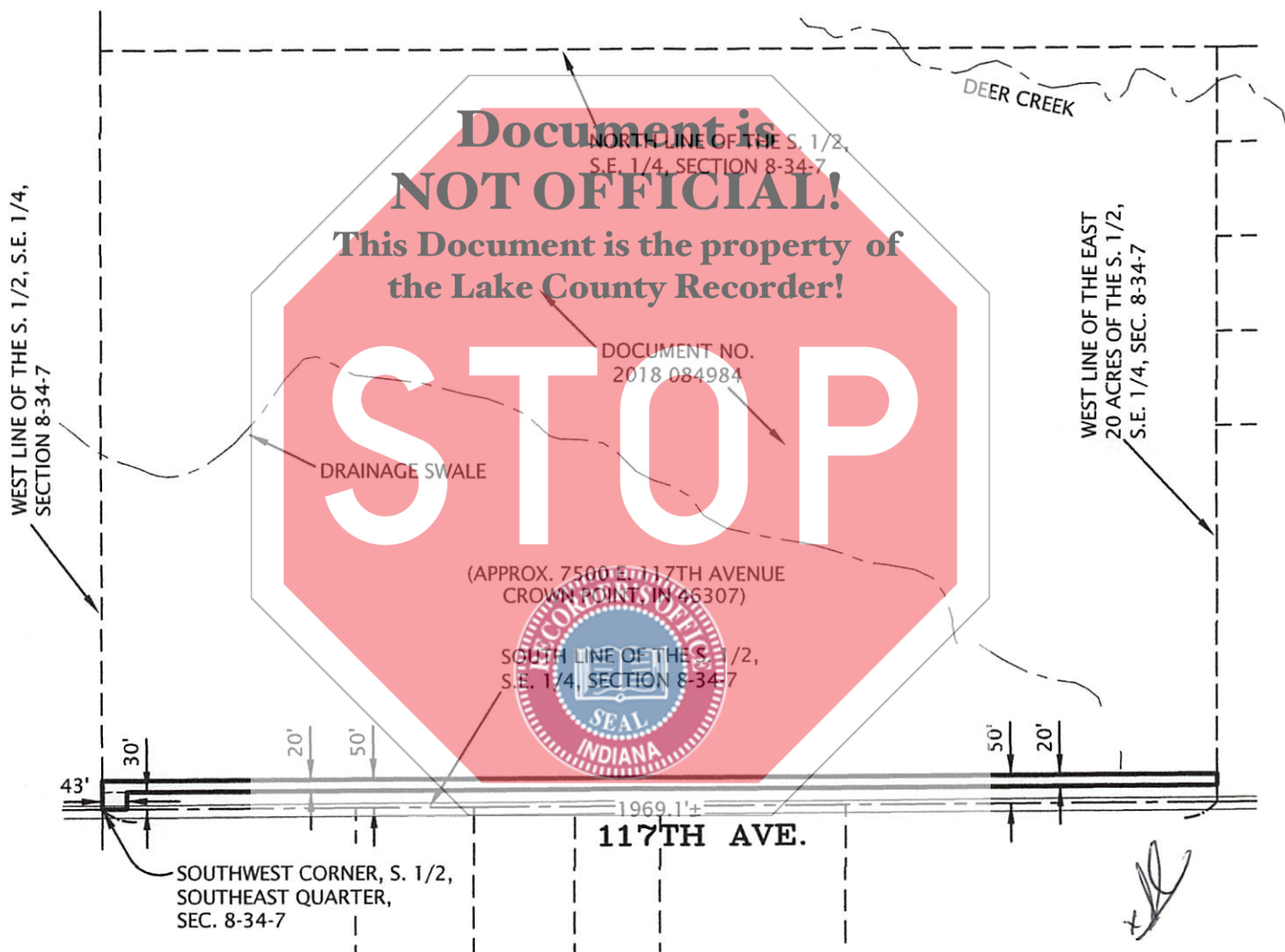
The foregoing preparer states as follows: I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. – Terry Retson

When recorded please return to David L. Phippen at Indiana-American Water Company, Inc., 153 North Emerson Avenue, Greenwood, Indiana 46143.

EXHIBIT A

PARCEL DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN WINFIELD TOWNSHIP, LAKE COUNTY, INDIANA, SAID PARCEL BEING THE NORTH 20 FEET OF THE SOUTH 50 FEET OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER LYING WEST OF THE WEST LINE OF THE EAST 20 ACRES OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER, SAID PARCEL ALSO CONTAINING THE SOUTH 30 FEET OF THE WEST 43 FEET OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER, SAID PARCEL CONTAINING 0.93 ACRES MORE OR LESS.

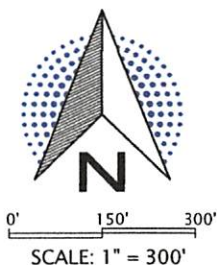


GRANTORS:

TAX NO. 45-17-08-451-001.000-047
LATITUDE DEVELOPMENT, LLC
WARRANTY DEED
DOC. NO. 2018 084984
REC. 12/11/2018

Reference Name:

DVG-18-1073
Survey Job No: S18-1620
Drawn By: GAH
Date: 6/20/19
\18-620 easements.DWG
Sec. 8-34-7
LAKE COUNTY, IN



THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, OR A SURVEYOR LOCATION REPORT.

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www.dvgteam.com

