

NOT AN OFFICIAL DOCUMENT

CROSS-REFERENCE: In accordance with Ind. Code §32-23-2-5(a), the easement described herein burdens the real estate acquired by the Grantor by Deed dated May 30, 2010 as Document No. 2010-035002 in the Office of the Recorder of Lake County, Indiana.

GRANT OF STORMWATER DRAINAGE EASEMENT

That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to 109TH & State Street, LLC hereinafter referred to as GRANTOR, by and on behalf of Shalk Properties, LLC, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, GRANTOR hereby warrants that GRANTOR has title to said real estate, and GRANTOR does hereby grant, bargain, sell, transfer, dedicate and convey unto the GRANTEE, its successors and assigns, an easement with the right to erect, construct, install and lay, and therefore use, operate, inspect, repair, maintain, replace and remove stormwater infrastructure, and appurtenances thereto, all of which is a part of the GRANTEE's property drainage system over, under, across, and through the land of the GRANTOR situated in Lake County, State of Indiana, together with the right, if reasonably necessary and does not otherwise materially disturb GRANTOR's real estate, of ingress and egress over the adjacent lands of the GRANTOR, his successors and assigns, for the purpose of this easement, and said easement being described as follows:

The Easements is described in the easement descriptions which are attached as Exhibit "A" & "B".

The GRANTEE covenants to maintain the easement in good repair so that no damage will result from its use to the adjacent land of the GRANTOR, his successors and assigns. The GRANTEE has an existing 8" plastic corrugated drain tile, which shall not be increased in sized or moved in location without the written approval of the GRANTOR, which approval shall not be unreasonably withheld. The GRANTEE will obtain customary insurance policies with indemnification language for any work or services performed on the easement.

In granting and acquiring said easement, the right shall be reserved to the GRANTOR to use and fully enjoy said easement for all purposes not inconsistent with the necessary and convenient uses thereof by GRANTEE, its successors and assigns, for the purposes aforesaid; provided that no structure shall be erected or permitted on the easement. The rights reserved by the GRANTOR shall include, but shall not be limited to, the right to cross small sections of the easement with roads, utilities, drains and the like in such fashion as not to disturb GRANTEE's facilities or the operation or maintenance thereof.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of GRANTEE, its successors and assigns.

The GRANTOR, its successors, transferees or assigns, may develop its real estate to include a stormwater drainage system in the future. The GRANTEE agrees to vacate this easement upon the development of a stormwater drainage system on the real estate that allows for the connection to GRANTEE's property drainage system. Nothing in this easement shall limit GRANTOR's right to use the real estate for farming or future

-1-

GINA PIMENTEL
RECORDER
STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2021-035543

12:18 PM 2021 May 5

FILED

MAY 05 2021

JOHN E. PETALAS
LAKE COUNTY AUDITOR

25-
CASH
①

NOT AN OFFICIAL DOCUMENT

Exhibit 'A'

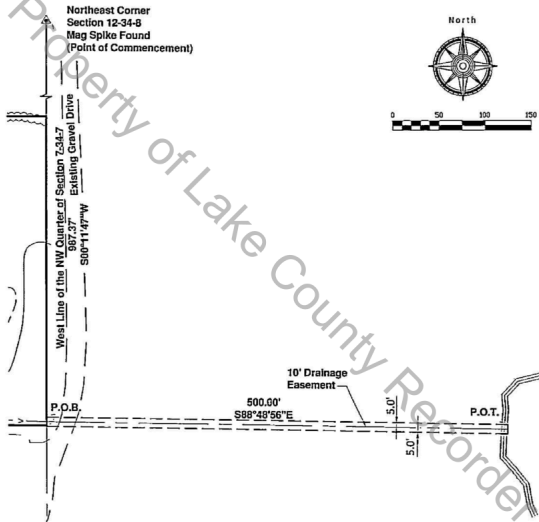
Legal Description

A ten foot (10') wide easement for drainage purposes lying 5.0' each side of the following described centerline of an existing drain tile:

Commencing at the Northwest Corner of Section 7, Township 34 North, Range 7 West of the Second Principal Meridian; thence South 00 degrees 11 minutes 47 seconds West along the West Line of the Northwest Quarter of said Section 7, a distance of 987.37 feet to a point on an existing drain tile, said point also being the Point of Beginning of said centerline; thence South 88 degrees 48 minutes 56 seconds East along said centerline, 500.00 feet to the Point of Terminus of said centerline.

County of Lake County Recorder

Exhibit 'B'



JOB NO.

62-001



MECA Engineering Corporation

5655 Broadway, Merrillville, IN 46410
T: (219)962-1011 F: (219)962-3969

SHEET

EX-B

SCALE:

1"=100'

Drainage Easement Exhibit

Exhibit 'B'

CHECK BY: SMS

DRAWN BY: SS

CHECK DATE: 3/25/21

DRWN DATE: 3/25/21