

After Recording Return To:

FILED

Oct 12 2021 VH
JOHN E. PETALAS
LAKE COUNTY AUDITOR

Northern Indiana Commuter
Transportation District
Attn: Michael Noland
33 East U.S. Highway 12
Chesterton, IN 46304

Space Above This Line for Recorder's Use

TEMPORARY CONSTRUCTION EASEMENT

Parcel 1 (86A)SUBJECT PROPERTY ADDRESS: **422 Michigan Street, Hammond, IN 46320**

PROPERTY TAX#: **45-02-36-131-002.000-023**

THIS INDENTURE WITNESSETH that the **HAMMOND WATER WORKS DEPARTMENT**, an Indiana municipal corporation (the "GRANTOR"), hereby grants to the **NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT**, an Indiana municipal corporation (the "GRANTEE"), for no consideration and as an in-kind contribution to the West Lake Corridor Rail Project, the receipt of which is acknowledged, a temporary construction easement to enter upon and have possession of certain real estate of the Grantor described hereafter for the purpose of the West Lake Corridor Expansion Project, a railroad improvement project for the area in the vicinity of the subject property being undertaken by the Northern Indiana Commuter Transportation District. This temporary construction easement shall cover the following described real estate located in Lake County, Indiana, to-wit:

See the attached Exhibit 'A' for legal description.

See the attached Exhibit 'B' for a parcel plat.

The above-referenced exhibits are incorporated herein by reference. Said temporary easement shall be extinguished, become void, and revert to the Grantor upon the earlier date of: (1) completion of the above-mentioned project or (2) March 1, 2026.

As a condition of this easement, Grantee shall not disturb any property of Grantor until Grantor's Distribution Superintendent has approved the Grantee's relocation plans for Grantor's utility facilities, including the 16-inch water main, booster station, and any other utility facilities or infrastructure presently located on the subject property, which need to be relocated due to Grantee's construction project. It is understood and agreed that Grantor's water distribution system relies on these facilities and therefore Grantee will not disrupt the Grantor's service lines without new infrastructure in service. The parties shall execute a separate agreement for Grantor to perform the necessary utility relocations.

Any damage to the land or underground utility facilities of the Grantor done by the Grantee in its installation of the improvements for the West Lake Corridor Expansion Project shall be promptly repaired by Grantee so that the property is returned to Grantor in at least as good a condition as it was at the time of the granting of this Easement.

The Grantor reserves the use of the grant of land described in said easement for purposes which are not inconsistent with this easement and which do not interfere with the construction of the West Lake Corridor.

The terms and conditions of this Easement shall be binding upon the heirs, executors, administrators, grantees and assigns of the Grantor and Grantee.

IN WITNESS WHEREOF, said Grantor has executed and delivered this Temporary Construction Easement under seal this 23rd day of September, 2021.

HAMMOND WATER WORKS DEPARTMENT

By:

Sharon M. Daniels

Signature

SHARON M. DANIELS

Printed Name

BOARD PRESIDENT

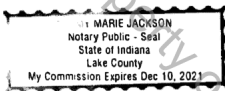
Title

LAKE COUNTY, INDIANA, 4621-5236, I.S.

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for the above-referenced County and State, on this 23rd day of September, 2021, did personally appear Sharon Daniels, as an authorized representative of The Hammond Water Works Department, and acknowledged the execution of the foregoing deed as a free and voluntary act.

Witness my hand and seal.



Jimmy Jackson
Notary Public

Tammy Jackson
Printed Name

My Commission Expires: 12-10-21

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I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number associated with this document, unless otherwise required by law.

/s/ L. Charles Lukmann, III – Attorney

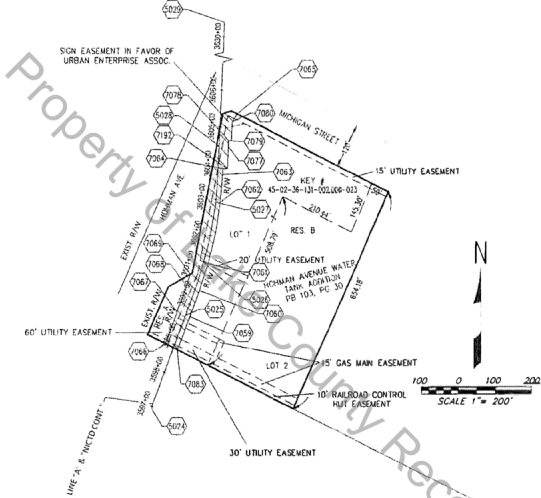
This instrument prepared by:
L. Charles Lukmann, III
HARRIS WELSH & LUKMANN
107 Broadway
Chesterton, IN 46304
Telephone (219) 926-2114

RIGHT OF WAY PARCEL PLAT

EXHIBIT "B" PARCEL PLAT

SHEET 1 OF 2

Prepared for the Northern Indiana Commuter Transportation District
by Beam, Longest & Neff L.L.C. (Job #18D110)



	HATCHED AREA IS THE APPROXIMATE TAKING
OWNER: HAMMOND WATER WORKS DEPARTMENT	DRAWN BY: Z.I. YANOSKO 4-8-2019
PROJECT: NICTD - WEST LAKE CORRIDOR	CHECKED BY: D.L. WITTE 4-24-2019
PARCEL: 86	
TAX ID #: 45-02-36-131-002.000-023	INSTRUMENT #2008050390. DATED 4-8-2007
SECTION: 36	INSTRUMENT #2008069349. DATED 10-2-2008
TOWNSHIP: 37 N.	
RANGE: 10 W.	
COUNTY: LAKE	
Dimensions shown are from the above listed Record Documents.	

REV. PROP. R/W. 6-17-2019, M.J. DORFSCHE