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10/12/2021 03:33PN Total Fees: 25.00 Bv: KNK

Pg #: 5

LAKE COUNTY
FILED FOR RECORD
GINA PIMENTEL
RECORDER

After Recording Return To:

FILED

Northern Indiana Commuter Transportation District Attn: Michael Noland 33 East U.S. Highway 12 Chesterton, IN 46304 Oct 12 2021 VH JOHN E. PETALAS LAKE COUNTY AUDITOR

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 Cornidor 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.

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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 2002 day of September 2021.

HAMMOND WATER WORKS DEPARTMENT

Ву: 💆

Signature

Printed Name

Title

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STATE OF INDIANA))SS:	
COUNTY OF LAKE) 55:	
County and State, on this	Torks Department, and acknowledged the nd voluntary act. Ind seal.	rsonally appear presentative of
The commission explication to the con-	- John Hing Colons	Printed Name
My Commission Expires:	12-10-21	

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 Lukman	n, III – Attorney
This instrument prepared b L. Charles Lukmann, III HARRIS WELSH & LUKM/ 107 Broadway Chesterton, IN 46304 Telephone (219) 926-2114	<u>PY:</u> ANN	Prop

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EXHIBIT "A"

Project: NICTD - West Lake Corridor Sheet 1 of 1

Parcel: 86A - Temporary Construction Easement

Key #: 45-02-36-131-002.000-023

A part of Lot 1 in Hohman Avenue Water Tank Addition to the City of Hammond, Indiana, the plat of which is recorded in Plat Book 103, page 30, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning on the southwestern line of said lot North 62 degrees 45 minutes 34 seconds West 80.44 feet from the south most corner of said lot; thence North 62 degrees 45 minutes 34 seconds West 12.60 feet along said southwestern line; thence North 20 degrees 00 minutes 00 seconds East 98.53 feet; thence North 19 degrees 38 minutes 42 seconds East 77.77 feet; thence North 17 degrees 30 minutes 52 seconds East 77.92 feet; thence Northeasterly 170.79 feet along an arc to the left and having a radius of 1,054.64 feet and subtended by a long chord having a bearing of North 11 degrees 06 minutes 38 seconds East and a length of 170.60 feet; thence North 4 degrees 42 minutes 23 seconds East 77.92 feet; thence North 2 degrees 34 minutes 34 seconds East 17.39 feet; thence South 87 degrees 07 minutes 49 seconds East 12.50 feet; thence South 2 degrees 34 minutes 34 seconds West 17.55 feet; thence South 4 degrees 42 minutes 23 seconds West 78.34 feet; thence Southwesterly 173.20 feet along an arc to the right and having a radius of 1,067.14 feet and subtended by a long chord having a bearing of South 11 degrees 06 minutes 38 seconds West and a length of 173.01 feet; thence South 17 degrees 30 minutes 52 seconds West 78.34 feet; thence South 19 degrees 38 minutes 42 seconds West 78.04 feet; thence South 20 degrees 00 minutes 00 seconds West 100.16 feet to the point of beginning and containing 0.150 acres, more or less.

This description was prepared for the Northern Indiana Commuter Transportation District by Beam, Longest and Neff, L.L.C.

STATE OF SURVEY

Dewey L. Witte 06/19/2019
Dewey L. Witte

Indiana Registered Land Surveyor License Number LS29800022

Revised 6-17-2019

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RIGHT OF WAY PARCEL PLAT

EXHIBIT "B" SHEET 1 OF 2 Prepared for the Northern Indiana Commuter Transportation District by Beam, Longest & Neff L.L.C. (Job #180110) SIGN EASEMENT IN FAVOR OF URBAN ENTERPRISE ASSOC. 15' UTILITY EASEMENT -02-36-131-002.006-023 EASEMENT PB 103. 60' UTILITY EASEMENT 15' GAS MAIN EASEMENT O' RAILROAD CONTROL 30' UTILITY EASEMENT HATCHEO AREA IS THE APPROXIMATE TAKING OWNER-HAMMOND WATER WORKS DEPARTMENT ORAWN BY: Z.T. YANOSKO 4-8-2019 PROJECT: NICTO - WEST LAKE CORRIDOR CHECKED BY: D.L. WITE 4-24-2019 PARCEL: 86 INSTRUMENT #2008050390, DATED 1-8-2007 TAX ID # 45-02-36-131-002.000-025 INSTRUMENT #2008069349. DATED 10-2-2008 SECTION: 36 TOWNSHIP: 37 M RANGE: 10 W LAKE COUNTY: Dimensions shown are from the above listed Record Documents.

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