

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 (76A) SUBJECT PROPERTY ADDRESS: **South of I-80/I-94 and North of Little Calumet River, Hammond, IN 46324**

PROPERTY TAX#: **45-06-13-184-001.000-023**

Parcel 2 (171) SUBJECT PROPERTY ADDRESS: **225 Russell Street, Hammond, IN 46320**

PROPERTY TAX#: **45-06-36-327-007.000-023**

Parcel 3 (172) SUBJECT PROPERTY ADDRESS: **417 Fayette Street, Hammond, IN 46320**

PROPERTY TAX#: **45-06-36-183-012.000-023**

Parcel 4 (173A) SUBJECT PROPERTY ADDRESS: **425 Sibley Street, Hammond, IN 46320**

PROPERTY TAX#: **45-02-36-182-009.000-023**

Parcel 5 (200) SUBJECT PROPERTY ADDRESS: **Appr. 250 Russell Street, Hammond, IN 46320**

PROPERTY TAX#: **unassigned**

THIS INDENTURE WITNESSETH that the **CITY OF HAMMOND, INDIANA**, 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 Exhibits 'A-1', 'A-2', 'A-3', 'A-4', and 'A-5' for legal descriptions.

See the attached Exhibits 'B-1', 'B-2', 'B-3', 'B-4', and 'B-5' for parcel plats.

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.

Any damage to the land 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.

CITY OF HAMMOND

By: *Kevin Margraf*
Signature

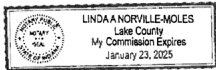
Kevin L. Margraf
Printed Name

President, Board of Public Works & Safety
Title

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 *Kevin L. Margraf* as an authorized representative of The City of Hammond, and acknowledged the execution of the foregoing deed as a free and voluntary act.

Witness my hand and seal.



Linda Norville-Moles
Notary Public
Linda Norville-Moles
Printed Name

My Commission Expires: 1/23/25

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

Property of Lake County Recorder

EXHIBIT "A-1"

Project: NICTD - West Lake Corridor
Parcel: 76A - Temporary Construction Easement
Key #: 45-06-13-184-001.000-023

Sheet 1 of 1

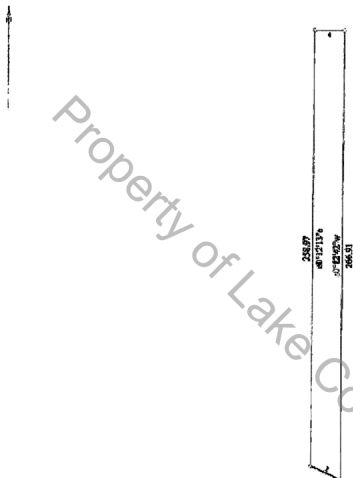
A part of the Northwest Quarter of Section 13, Township 36 North; Range 10 West, Lake County, Indiana, described as follows: Beginning on the west line of the right of way line of NICTD (former Chicago, Indianapolis, and Louisville Railroad) South 0 degrees 12 minutes 42 seconds West 18.51 feet from the intersection of the southern boundary of I-80 & I-94 and the west line of the right of way line of said NICTD; thence South 0 degrees 12 minutes 42 seconds West 266.91 feet along the west line of the right of way of said NICTD to the northeastern waters edge of the Little Calumet Reiver; thence North 65 degrees 45 minutes 55 seconds West 19.50 feet along said waters edge; thence North 0 degrees 12 minutes 13 seconds East 258.97 feet; thence South 89 degrees 47 minutes 47 seconds East 17.84 feet to the point of beginning and containing 0.108 acres, more or less.

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

Dewey L. Witte 07/16/2010
Dewey L. Witte Date
Indiana Registered Land Surveyor
License Number LS29804022



EXHIBIT "B-1" Page 2



Title: Parcel 76A - Temp. Easmt.		Date: 07-10-2019
Scale: 1 inch = 50 feet	File: p76a.txt	
Tract 1: 0.108 Acres: 4687 Sq Feet: Closure = e81.4517e 0.61 Feet: Precision = 175838: Perimeter = 563 Feet		
001=e0.1242w 266.91	003=e0.1213e 258.97	
002=e63.4555w 19.58	004=e89.4747e 17.84	

EXHIBIT "A-2"

Project: NICTD – West Lake Corridor
Parcel: 171 – Temporary Construction Easement
Key #: 45-06-36-327-007.000-023

Sheet 1 of 1

A part of Lots 18, 31, 32 & 33; and a part of a vacated alley between Lots 18 and 31, all in Latham's Addition to the Town (now City) of Hammond, Indiana, the plat of which is recorded in Plat Book 1, page 44, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at the north corner of said Lot 32; thence South 9 degrees 24 minutes 48 seconds East 298.35 feet along the western line of the right of way of NICTD (former Chicago, Indianapolis and Louisville Railroad) to the south line of said Lot 18; thence North 89 degrees 40 minutes 09 seconds West 7.95 feet along said south line; thence Northwesterly 305.75 feet along an arc to the left and having a radius of 33,678.41 feet and subtended by a long chord having a bearing of North 10 degrees 08 minutes 22 seconds West and a length of 305.75 feet to the northeastern line of said Lot 33; thence South 62 degrees 44 minutes 26 seconds East 14.60 feet along said northeastern line to the point of beginning and containing 2,870 square feet, more or less.

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

Dewey L. Witte 04/23/2019
Dewey L. Witte Date
Indiana Registered Land Surveyor
License Number LS29800022

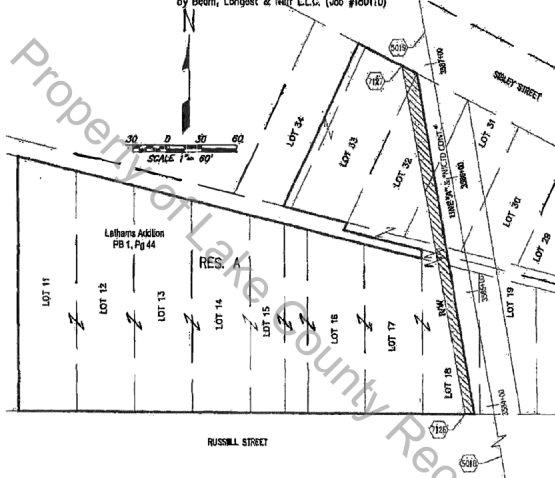



RIGHT OF WAY PARCEL PLAT

EXHIBIT "B-2" PARCEL PLAT

SHEET 1 OF 2

Prepared for the Northern Indiana Commuter Transportation District
by Beam, Langost & Neff LLC. (Job #180110)



 HATCHED AREA IS THE APPROXIMATE DRIVEWAY	
OWNER: CITY OF HAMMOND	DRAWN BY: M.J. DORSCH 6-14-2018
PROJECT: NICTD - WEST LAKE CORRIDOR	CHECKED BY: DL WYTE 06-19-2019
PARCEL: 171	
TAX ID #: 45-02-16-327-007.000-023	INSTRUMENT #000132382 DATED 3-07-2007
SECTION: 36	
TOWNSHIP: 37 N.	
RANGE: 10 W.	
COUNTY: LAKE	

Dimensions shown are from the above listed Record Documents.

EXHIBIT "B-2" (cont.)

SHEET 2 OF 2

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
5018, 5019	SEE ROUTE SURVEY, INSTRUMENT #2019-013294					
7126	NICTD-CONT.	3583+96.93	25.00	Lt.	2320075.709	2833453.251
7127	NICTD-CONT.	3587+02.91	25.00	Lt.	2320376.681	2833399.425

Stations and Offsets are to control over both North and East Coordinates and Bearings and Distances.

Note: Line "A" is a Control Line and Line "NICTD-Continuous" is a Paper Relocation Line.

Property of Lake County Recorder

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plot, together with the "Location Control Route Survey Plot" recorded as Instrument #2019-013294 in the Office of the Recorder of Lake County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code B65 IAC 1-12 (Rule 12).



Deway L. Witte Date 06/19/2019
 Registered Land Surveyor No. LS2980022
 State of Indiana

<p>OWNER: CITY OF HAMMOND</p> <p>PROJECT: NICTD - WEST LAKE CORRIDOR</p> <p>PARCEL: 171</p> <p>TAX ID #: 45-02-36-327-007.000-023</p> <p>SECTION: 36</p> <p>TOWNSHIP: 37 N</p> <p>RANGE: 10 W</p> <p>COUNTY: LAKE</p>	<p>DRAWN BY: M.J. DORSCH 6-19-2019</p> <p>CHECKED BY: D.L. WITTE 06-19-2019</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="font-size: 1.5em; font-weight: bold; margin: 0;">BLN</p> <p style="font-size: 0.8em; margin: 0;">INCORPORATED 1988</p> <p style="font-size: 0.8em; margin: 0;">8330 Craig St. Indianapolis, Indiana 46250</p> <p style="font-size: 0.8em; margin: 0;">Telephone (317) 849-5033</p> <p style="font-size: 0.8em; margin: 0;">www.bl-n.com</p> </div>
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EXHIBIT "A-3"

Project: NICTD – West Lake Corridor
 Parcel: 172 – Temporary Construction Easement
 Key #: 45-06-36-183-012.000-023

Sheet 1 of 1

A part of Lots 9, 10, 11, 36, 37 & 38; and a part of a vacated alley between Lots 10, 11 and 38 in Block 3, all in Townsend and Godfrey's Addition to the Town (now City) of Hammond, Indiana, the plat of which is recorded in Plat Book 1, page 40, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at the southwest corner of said Lot 36; thence North 62 degrees 44 minutes 26 seconds West 7.12 feet along the southwestern line of said Lot 37; thence North 10 degrees 28 minutes 18 seconds West 316.13 feet to the northeastern line of said Lot 9; thence South 62 degrees 44 minutes 26 seconds East 18.48 feet along said northeastern line to the western line of the right of way of NICTD (former C.I. & J. Railway); thence South 9 degrees 40 minutes 34 seconds East 312.80 feet along the western line of the right of way of NICTD (former C.I. & J. Railway) to the southwestern line of said Lot 26; thence North 62 degrees 44 minutes 26 seconds West 5.87 feet along said southwestern line to the point of beginning and containing 3,933 square feet, more or less.

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

Dewey L. Witte 04/23/2019

Dewey L. Witte
 Indiana Registered Land Surveyor
 License Number LS29800022

Date



EXHIBIT "B-3" (cont.)

SHEET 2 OF 2

PARCEL COORDINATE CHART (shown in feet)						
Point	Centerline	Station	Offset	Lt./Rt.	Northing	Easting
5020,	SEE ROUTE SURVEY, INSTRUMENT #2019-013294					
5021,						
5022						
7130	NICTD-CONT.	3587+78.93	25.20	Lt.	2320451.3809	2833385.4438
7131	NICTD-CONT.	3590+94.14	26.48	Lt.	3230762.2494	2833327.9872

Stations and Offsets are to control over both North and East Coordinates and Bearings and Distances.

Note: Line "A" is a Control Line and Line "NICTD-Continuous" is a Paper Relocation Line.

Property of Lake County Recorder

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey Plat" recorded as Instrument #2019-013294 in the Office of the Recorder of Lake County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12 (Rule 12).



Date: 06/19/2019
 Dewey L. Witte
 Registered Land Surveyor No. LS2980022
 State of Indiana

<p>OWNER: CITY OF HAMMOND</p> <p>PROJECT: NICTD - WEST LAKE CORRIDOR</p> <p>PARCEL: 172</p> <p>TAX ID #: 45-05-36-183-012.000-023</p> <p>SECTION: 36</p> <p>TOWNSHIP: 37 N.</p> <p>RANGE: 10 W.</p> <p>COUNTY: LAKE</p>	<p>DRAWN BY: M.J. DORSON 6-17-2019</p> <p>CHECKED BY: D.L. WITTE 06-19-2019</p>
<p>BLN: BUREAU OF LAND MANAGEMENT 8310 Craig St., Indianapolis, Indiana 46250 Telephone: (317) 845-5800 www.blm.com</p>	

EXHIBIT "A-4"

Project: NICTD – West Lake Corridor
 Parcel: 173A – Temporary Construction Easement
 Key #: 45-02-36-182-009.000-023

Sheet 1 of 1

A part of Lot 6 in Block 2 of Townsend and Godfrey's Addition to the Town (now City) of Hammond, Indiana, the plat of which is recorded in Plat Book 1, page 40, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning on the northeastern line of said Lot 6 South 62 degrees 44 minutes 43 seconds East 14.09 feet from the northwest corner of said lot; thence South 62 degrees 44 minutes 43 seconds East 13.64 feet along said northeastern line; thence Southwesterly 58.58 feet along an arc to the left and having a radius of 1,054.14 feet and subtended by a long chord having a bearing of South 7 degrees 59 minutes 32 seconds West and a length of 58.57 feet to the eastern line of the right of way line of NICTD; thence North 9 degrees 25 minutes 27 seconds West 44.52 feet along the eastern line of the right of way of NICTD; thence Northeasterly 20.60 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 North 9 degrees 15 minutes 12 seconds East and a length of 20.60 feet to the point of beginning and containing 509 square feet, more or less.

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

Dewey L. Witte 05/07/2019
 Dewey L. Witte Date
 Indiana Registered Land Surveyor
 License Number LS29800022



RIGHT OF WAY PARCEL PLAT

