

FILED

Oct 12 2021 VH
JOHN E. PETALAS
LAKE COUNTY AUDITOR

After Recording Return To:

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 (79) PROPERTY ADDRESS: **South of Douglas Street, Hammond, IN 46320**

PROPERTY TAX#: **45-02-36-451-001.000-023**

THIS INDENTURE WITNESSETH that the **HAMMOND BOARD OF PARK COMMISSIONERS**, 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.

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 14th day of October, 2021, 2021.

**HAMMOND BOARD OF PARK
COMMISSIONERS**

By:

Signature

Printed Name

Title

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

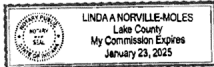
Before me, the undersigned, a Notary Public in and for the above-referenced County and State, on this 14th day of October, 2021, did personally appear John Vezyrov, as an authorized representative of the Hammond Board of Park Commissioners, and acknowledged the execution of the foregoing deed as a free 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

EXHIBIT "A"

Project: NICTD – West Lake Corridor
 Parcel: 79 – Temp. Constr. Easement
 Key #: 45-02-36-451-001.000-023

Sheet 1 of 1

A part of the Southeast Quarter of Section 36, Township 37 North, Range 10 West, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right of Way Parcel Plat marked Exhibit "B" described as follows: Beginning at the north corner of Lot 1 in Eggers Middle School Addition to the City of Hammond, Indiana, the plat of which is recorded in Plat Book 104, page 39, in the Office of the Recorder of Lake County, Indiana; thence North 9 degrees 47 minutes 14 seconds West 515.72 feet along the prolonged western line of said Lot 1 to the south boundary of Douglas Street; thence South 89 degrees 47 minutes 25 seconds East 30.46 feet along the boundary of said Douglas Street to point "7121" designated on said plat; thence South 9 degrees 44 minutes 17 seconds East 443.37 feet to point "7120" designated on said plat; thence South 0 degrees 16 minutes 25 seconds West 162.78 feet to point "7113" designated on said plat; thence Southeasterly 16.71 feet along an arc to the right and having a radius of 6,202.69 feet and subtended by a long chord having a bearing of South 5 degrees 44 minutes 14 seconds East and a length of 16.71 feet to the eastern line of said lot; thence North 9 degrees 47 minutes 14 seconds West 109.88 feet along said eastern line to the point of beginning and containing 0.362 acres, more or less.

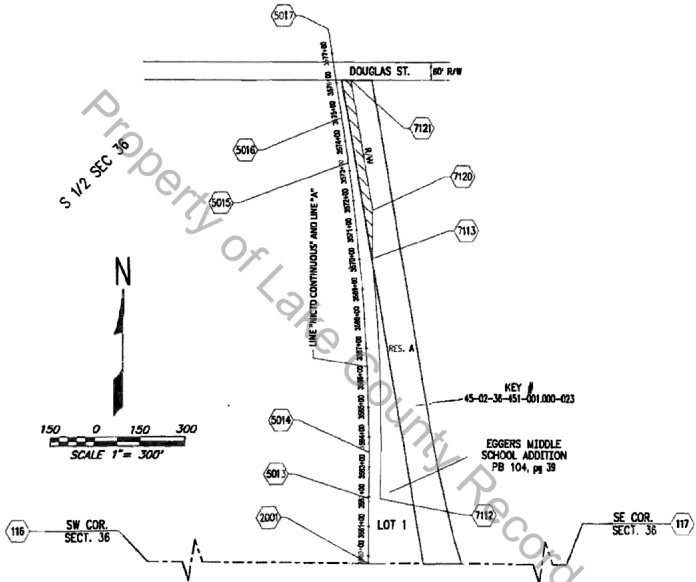
This description was prepared for the Northern Indiana Commuter Transportation District by Beam, Longest and Neff, L.L.C.

Dewey L. Witte 09/23/2019
 Dewey L. Witte Date
 Indiana Registered Land Surveyor
 License Number LS29800022



EXHIBIT "B" PARCEL PLAT

Prepared for the Northern Indiana Commuter Transportation District
by Beam, Longest & Neff L.L.C. (Job #180110)



HATCHED AREA IS THE APPROXIMATE TAKING	
OWNER: HAMMOND BOARD OF PARK COMMISSIONERS	DRAWN BY: Z.T. YANOSKO 4-16-2019
PROJECT: NICTD - WEST LAKE CORRIDOR	CHECKED BY: D.L. WITTE 04-23-2019
PARCEL: 79	
TAX ID #: 45-02-36-451-001.000-023	INSTRUMENT # 081472, DATED 1-11-1990
SECTION: 36	
TOWNSHIP: 37 N.	
RANGE: 10 W.	
COUNTY: LAKE	
Dimensions shown are from the above listed Record Documents.	