

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 (30B) SUBJECT PROPERTY ADDRESS: Rear of 9731 to 9849 Columbia Ave., Munster, IN 46321

S. of Superior Avenue, Munster, IN 46321

PROPERTY TAX#: 45-06-36-201-002.000-027
45-06-36-201-003.000-027

Parcel 2 (39) SUBJECT PROPERTY ADDRESS: NS RR Pennsy Greenway, Munster, IN 46321

PROPERTY TAX#: 45-06-25-100-003.000-027

Parcel 3 (163A) SUBJECT PROPERTY ADDRESS: 9800 Calumet Ave., Munster, IN 46321

PROPERTY TAX#: 45-06-25-451-001.000-027

Parcel 4 (201) SUBJECT PROPERTY ADDRESS: Rear of River Drive, Munster, IN 46321

PROPERTY TAX#: 45-06-13-401-002.000-027

THIS INDENTURE WITNESSETH that the **TOWN OF MUNSTER, INDIANA** (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. The legal description of the easement granted herein is attached hereto as **Exhibits “1A”, “1B”, “2A”, “2B”, “3A”, “3B”, “4A”, and “4B”** which are incorporated herein by reference, which said temporary easement shall be extinguished, become void, and revert to the Grantor upon completion of the above-mentioned project and, in no event shall the easement granted hereunder last for a period longer than five (5) years from the date of execution of this Easement.

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.

The undersigned Grantor hereby covenants that it is the owner in fee simple of the real estate upon which the easement area is located, are lawfully seized thereof, and has/have good right to grant and convey said right to the Grantee. The Grantor acquired title to the land described in this Easement by:

- | | |
|-----------------|---|
| Parcel 1 (30B) | Plat of dedication recorded 5/22/1980 Plat Book 52, page 12
Plat of dedication recorded 10/14/1988 Plat Book 64, page 64
in the office of the Recorder of Lake County, Indiana. |
| Parcel 2 (39) | Quit Claim Deed recorded on 5/14/2009 as Document Number 2009-032463 in the office of the Recorder of Lake County, Indiana. |
| Parcel 3 (163A) | Plat of dedication recorded 5/22/1980 Plat Book 52, page 12
in the office of the Recorder of Lake County, Indiana. |
| Parcel 4 (201) | Corporate Deed recorded 10/01/1987 as Document Number 87-941388 in the office of the Recorder of Lake County, Indiana. |

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 ____ day of _____, 2023.

By: _____
Signature

Printed Name

Address

City, State & Zip

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 ____ day of _____, 2023, did personally appear _____, and acknowledged the execution of the foregoing deed as a free and voluntary act.

Witness my hand and seal.

Notary Public

Printed Name

My Commission Expires: _____

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 "1A"

Project: NICTD – West Lake Corridor
Parcel: 30B – Temporary Right of Way for Construction
Key #: 45-06-36-201-002.000-027 & 45-06-36-201-003.000-027

Sheet 1 of 1

A part of Plat of Dedication to the Town of Munster, Indiana, the plat of which is recorded in Plat Book 52, page 12, in the Office of the Recorder of Lake County, Indiana; and a part of Plat of Dedication to the Town of Munster, Indiana, the plat of which is recorded in Plat Book 64, page 64, in the Office of the Recorder of Lake County, Indiana; and a part of Municipal Stormwater Detention Area in Midwest Central Industrial Park Unit 1 to the Town of Munster, Indiana, the plat of which resubdivision is recorded in Plat Book 52, page 31, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning on the southeastern line of said Plat of Dedication described in said Plat Book 64, page 64 North 47 degrees 43 minutes 05 seconds East 39.28 feet from the northwest corner of said Plat of Dedication described in said Plat Book 64, page 64; thence North 0 degrees 17 minutes 12 seconds East 283.48 feet to the south line of said Municipal Stormwater Detention Area; thence South 89 degrees 49 minutes 32 seconds East 11.10 feet along said south line; thence North 0 degrees 17 minutes 34 seconds East 960.06 feet to the north line of said Municipal Stormwater Detention Area; thence South 89 degrees 49 minutes 11 seconds East 80.00 feet along said north line to the prolonged east line of said Municipal Stormwater Detention Area; thence South 0 degrees 17 minutes 34 seconds West 1,160.05 feet along said prolonged east line and along the east line of said Municipal Stormwater Detention Area and along the east line of said Plat of Dedication described in said Plat Book 52, page 12 and along the east line of said Plat of Dedication described in said Plat Book 64, page 64 to the southeast corner of said Plat of Dedication described in said Plat Book 64, page 64; thence South 47 degrees 43 minutes 05 seconds West 123.67 feet along the southeastern line said Plat of Dedication described in said Plat Book 64, page 64 to the point of beginning and containing 98,824 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

04/02/2019

Date

Indiana Registered Land Surveyor
License Number LS29800022



EXHIBIT “1B”

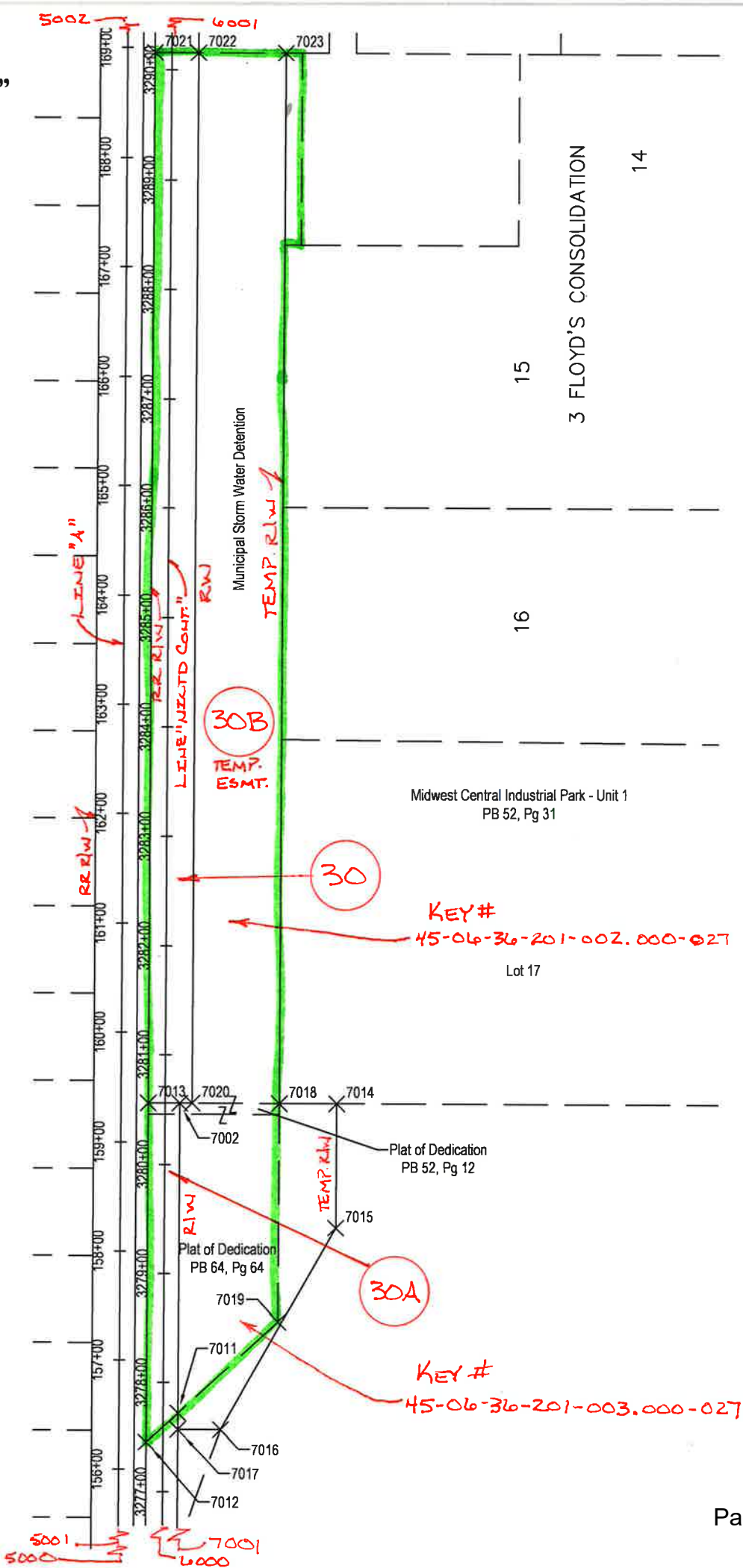


EXHIBIT "2A"

Project: NICTD – West Lake Corridor
Parcel: 39 – Temporary Construction Easement
Key #: 45-06-25-100-003.000-027

Sheet 1 of 1

The East 5 feet of the following described real estate:

Lake County Parcel Number 45-06-25-100-003.000-027.

Said East 5 feet contains 0.019 acres, more or less, and lies west of and adjoining the west line of the right of way of the Louisville and Nashville Railroad.

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

Dewey L. Witte 03/27/2019
Dewey L. Witte Date

Indiana Registered Land Surveyor
License Number LS29800022



RES. A
APP. R. 1



EXHIBIT "3A"

Project: NICTD – West Lake Corridor
Parcel: 163A – Temporary Right of Way for Construction
Key #: 45-06-25-451-001.000-027

Sheet 1 of 1

A part of Parcel A in the Plat of Dedication to the Town of Munster, Indiana, the plat of which is recorded in Plat Book 52, page 84, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at the southeast corner of said Parcel A; thence North 0 degrees 17 minutes 34 seconds East 1,218.88 feet along the east line of said Parcel A; thence North 7 degrees 26 minutes 03 seconds West 324.17 feet to a north line of said Parcel A; thence South 89 degrees 50 minutes 25 seconds West 41.42 feet along said north line to a corner of said Parcel A; thence South 0 degrees 17 minutes 34 seconds West 1,539.94 feet to the south line of said Parcel A; thence South 89 degrees 49 minutes 11 seconds East 85.00 feet along said south line to the point of beginning and containing 123,908 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 04/03/2019
Dewey L. Witte Date
Indiana Registered Land Surveyor
License Number LS29800022



EXHIBIT "3B"

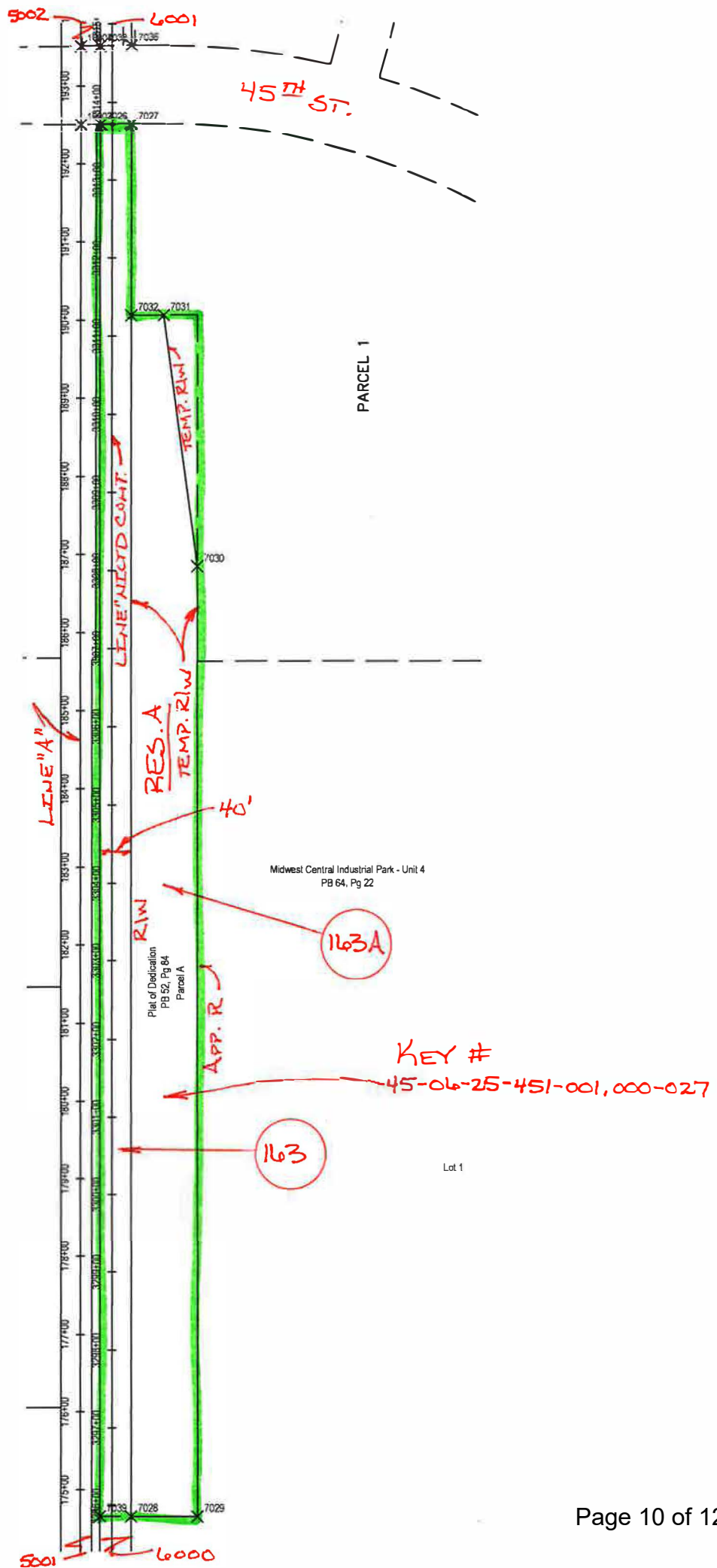


EXHIBIT "4A"

Project: NICTD – West Lake Corridor
Parcel: 201 – Temporary Construction Easement
Key #: 45-06-13-401-002.000-027

Sheet 1 of 1

The West 20 feet of Outlot A in Olthof's Addition Block One to the Town of Munster, Indiana, the plat of which is recorded in Plat Book 48, page 21, in the Office of the Recorder of Lake County, Indiana. Containing 16,247 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 05/16/2019
Dewey L. Witte Date
Indiana Registered Land Surveyor
License Number LS29800022



EXHIBIT "4B"

