

**TOWN of MUNSTER
Resolution 2071**

A Resolution Authorizing and Approving a Perpetual Easement Agreement by and between the State of Indiana, through the Little Calumet River Basin Commission and the Town of Munster, through its Town Council, all pursuant to IC 14-13-2 et sequitur.

WHEREAS, The Town of Munster, a municipality in the State of Indiana, does hold title to certain real estate, known as Parcel No 45-06-13-182-001.000-027 and which is further described as follows:

PART OF THE NORTHWEST QUARTER OF SECTION 13 TOWNSHIP 36 NORTH, RANGE 10 WEST OF THE PRINCIPAL MERIDIAN, ALL IN LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF HOHMAN AVENUE AND THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 80/94; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID HOHMAN AVENUE, NORTH 00°00'00" EAST 71.93 FEET; THENCE SOUTH 74°26'37" EAST, 90.51 FEET; THENCE NORTH 00°00'00" EAST, 46.25 FEET; THENCE SOUTH 74°26'37" EAST 58.35 FEET, THENCE SOUTH 00°00'00" WEST, 102.53 FEET; THENCE SOUTH 90°00'00 WEST, 146.72 FEET TO THE POINT OF BEGINNING, CONTAINING .29 ACRES, MORE OR LESS; AND

WHEREAS, The Town of Munster, a municipality in the State of Indiana, does hold title to certain real estate, known as Parcel No 45-06-13-401-002.000-027 and which is further described as follows:

PART OF THE OUTLOT IN OLTHOF'S ADDITION TO THE TOWN OF MUNSTER, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 48, PAGE 21 IN THE OFFICE OF THE RECORDER LAKE COUNTY INDIANA, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 13 TOWNSHIP 36 NORTH, RANGE 10 WEST OF THE PRINCIPAL MERIDIAN, ALL IN LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID OUTLOT A; THENCE SOUTH 89°32'52" EAST ALONG THE SOUTHERNLY LINE OF SAID OUTLOT A, 9.02 FEET TO THE POINT OF BEGINNING; THENCE ALONG A LINE PARALLEL TO THE WEST OF LINE OF SAID OUTLOT A, NORTH 00°00'00" EAST, 232.44 FEET; THENCE NORTH 72°52'50" EAST, 89.02 FEET; THENCE SOUTH 17°07'10" EAST, 151.72 FEET; THENCE SOUTH 72°52'50" WEST, 120.05 FEET; THENCE SOUTH 00°00'00" WEST, 78.43 FEET TO THE SOUTHERNLY LINE OF SAID OUTLOT A; THENCE WESTERLY ALONG SAID SOUTHERNLY LINE, NORTH 89°32'52" WEST, 12.00 FEET TO THE POINT OF BEGINNING, CONTAINING .042 ACRES, MORE OR LESS; AND

WHEREAS, The Little Calumet River Basin Commission is a public body corporate and politic of the State of Indiana capable of entering into and fulfilling the requirements of a nonfederal interest (as defined by 42 U.S.C. 1962d-5b); and

WHEREAS, The State of Indiana, through the Little Calumet River Basin Commission, has presented an agreement which provides for a perpetual easement to be granted by the Town of Munster as Grantor, to the State of Indiana, Little Calumet River Basin

Commission as Grantee, in support of the these Pump Stations to be completed in association with the US Army Corps Little Calumet River Flood Control and Recreation Project; and

WHEREAS, The Town of Munster, as a political subdivision of the State, may, upon the terms and conditions that the proper authorities of the Town and the State of Indiana through the Little Calumet River Basin Commission consider reasonable and appropriate, lease, lend, grant, or convey to the commission, at the commission's request, real or personal property, including an interest in the property, owned by the entity that is necessary or convenient to achieving the purposes of IC 14-13-2, all pursuant to IC 14-13-2-14, and;

WHEREAS, The Town of Munster, through its Town Council, now wishes to authorize and approve such a perpetual easement on the property herein described;

Now, **THEREFORE, BE IT RESOLVED**, That Town of Munster, through its Town Council, does hereby grant a Perpetual and Assignable Easement and right-of-way to the State of Indiana, Little Calumet River Basin Commission, for One Dollar (\$1.00) and other good and valuable consideration, according to the terms of an Easement Agreement which is hereby adopted and incorporated by reference to this resolution;

BE IT FURTHER RESOLVED, That Town of Munster, through its Town Council, finds and determines that the Easement Agreement Terms are reasonable and appropriate and hereby approves and ratifies the Easement Agreement in each and every respect.

BE IT STILL FURTHER RESOLVED, That the Town of Munster, through its Town Council hereby finds and determines that the grant of the perpetual assignable easement will promote the general health and welfare of citizens of Indiana, will provide for the creation, development, maintenance, administration, and operation of park, recreation, marina, flood control, and other public works projects and otherwise is made in support of the purposes of IC 14-13-2-4, all pursuant to IC 14-13-2-14.

BE IT STILL FURTHER RESOLVED That the Town of Munster, through its Town Council hereby authorizes the Town Manager to execute the Easement Agreement by his signature as thereto attested by the Clerk-Treasurer.

DULY ADOPTED by the Town Council of the Town of Munster this ____ day Of April, 2020. Having been approved by a vote of ____ in favor and ____ opposed.

**TOWN COUNCIL of the TOWN of
MUNSTER, INDIANA**

Lee Ann Mellon, President

Attest:

Wendy Mis
Munster Clerk-Treasurer