

NC
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DRAINAGE EASEMENT

THIS INDENTURE WITNESSETH: That West Carmel I, LLC

(referred to herein as the "Grantor") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to the Board of Commissioners of Hamilton County, ("Grantee") a non-exclusive perpetual easement through, upon, over, along and across the following described real property located in Hamilton County, Indiana, ("the Easement") to-wit;

See Exhibit A.

This Easement is granted for the purpose of providing overland or subsurface paths and courses for the construction, maintenance, preservation of storm drainage. The Grantor reserves for themselves and their successors and assigns the right to use the Easement for any uses which are not inconsistent with the purposes herein. However, in the event the Grantor, or their successors, elect or desire to do any construction or alterations to the Real Estate within the Easement, they shall do so only upon approval of the Grantee. The Grantor further agrees that they shall not grant any easements to any other utilities, or other persons, through the real estate described herein, without the consent of the Grantees, and if said grants are given, those easements shall be subject to the Grantee's rights to regulate and permit construction or alteration with the Easement.

In the event the Grantee, its employees, or contractors are required to come upon the real estate contained in the Easement to replace, restore, or clear any drainage structures, ditches, drains, or swales contained therein, the Grantee shall only be liable to restore the Grantor's real estate to its previous grade, and to re-seed and undertake erosion control measures as are required by 327 IAC15-5 as amended. The Grantee, its employees, or contractors shall not be liable to Grantor, or his successor in title, for any improvements to the real estate, landscaping, sod, or any other improvements within the Easement which are damaged in the course of the repair of the drainage structure, ditches, drains, or swales contained in the Easement area.

This Drainage Easement and the agreements herein shall run with the land and shall be binding upon and inure to the benefit of the Grantor and its successors and assigns and upon the Grantee and its successors.

IN WITNESS WHEREOF, The Grantor has executed this Drainage Easement on this 2nd day of April, 2007.

GRANTOR

West Carmel I, LLC
By: Brett A. Keeshin

IL
STATE OF ~~INDIANA~~)
) SS:
COUNTY OF ~~HAMILTON~~)
Lake

Subscribed and sworn to before me, a Notary Public this 2 day of April, 2007 personally appeared the within named Brett A. Keeshin and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal.



[Signature]
Notary Public,
Residing in Hamilton County, IN
Lake IL

My Commission Expires:
5/3/10

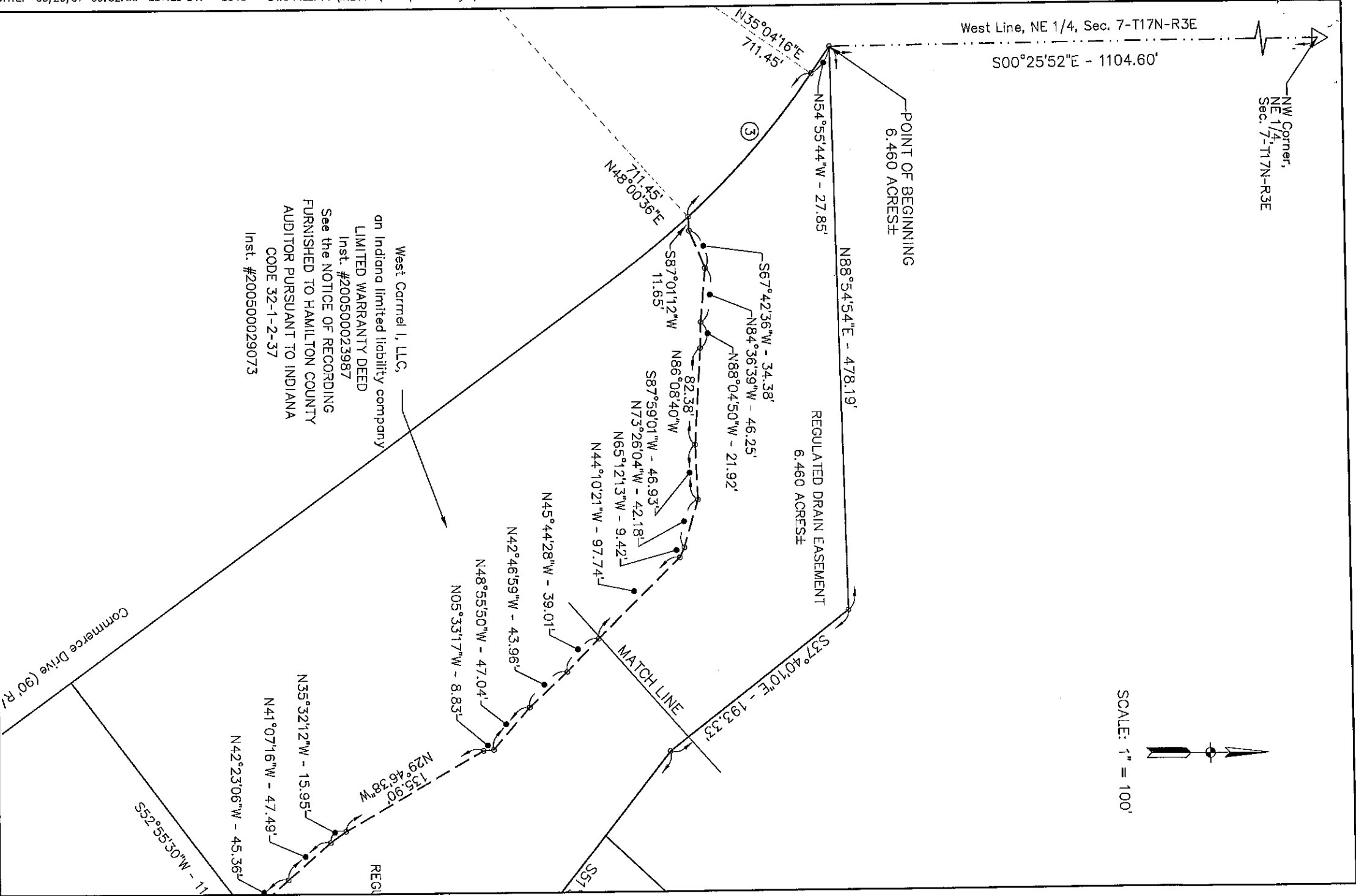
This instrument prepared by Michael A. Howard, Attorney at Law, 694 Logan Street, P.O. Box 309, Noblesville, Indiana 46060, (317) 773-4212.

Adobe PDF Filable Form

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Form revised 01/02/02

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."

(name) Brett Keeshin



SCALE: 1" = 100'



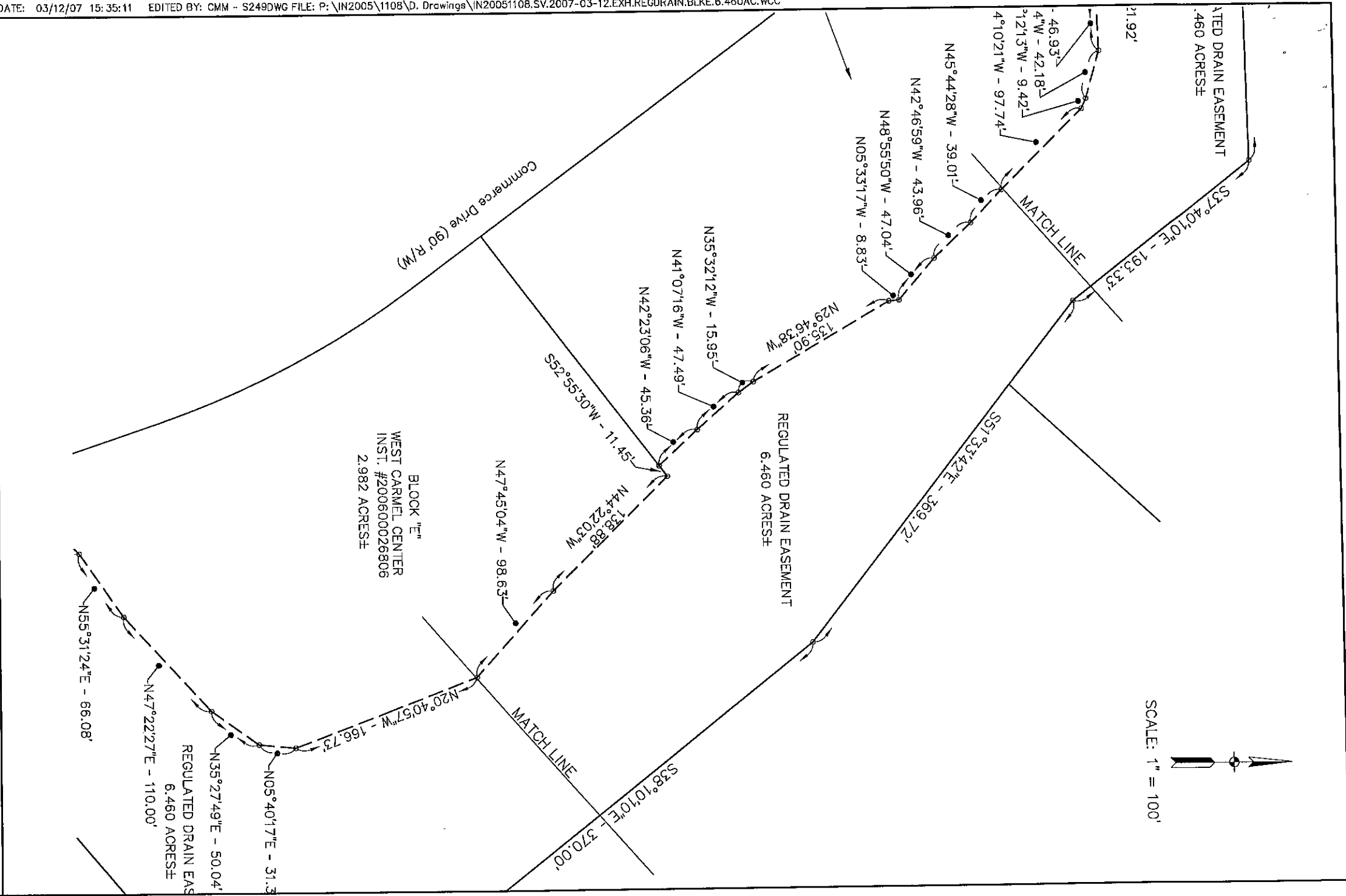
REGULATED DRAIN EASEMENT

AMERICAN
STRUCTUREPOINT
INC.

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

DATE: 03/13/07	SHEET NO.
DRAWN BY: CMM	1
JOB NO. 20051108	of
	4

DESC. FILE:



SCALE: 1" = 100'

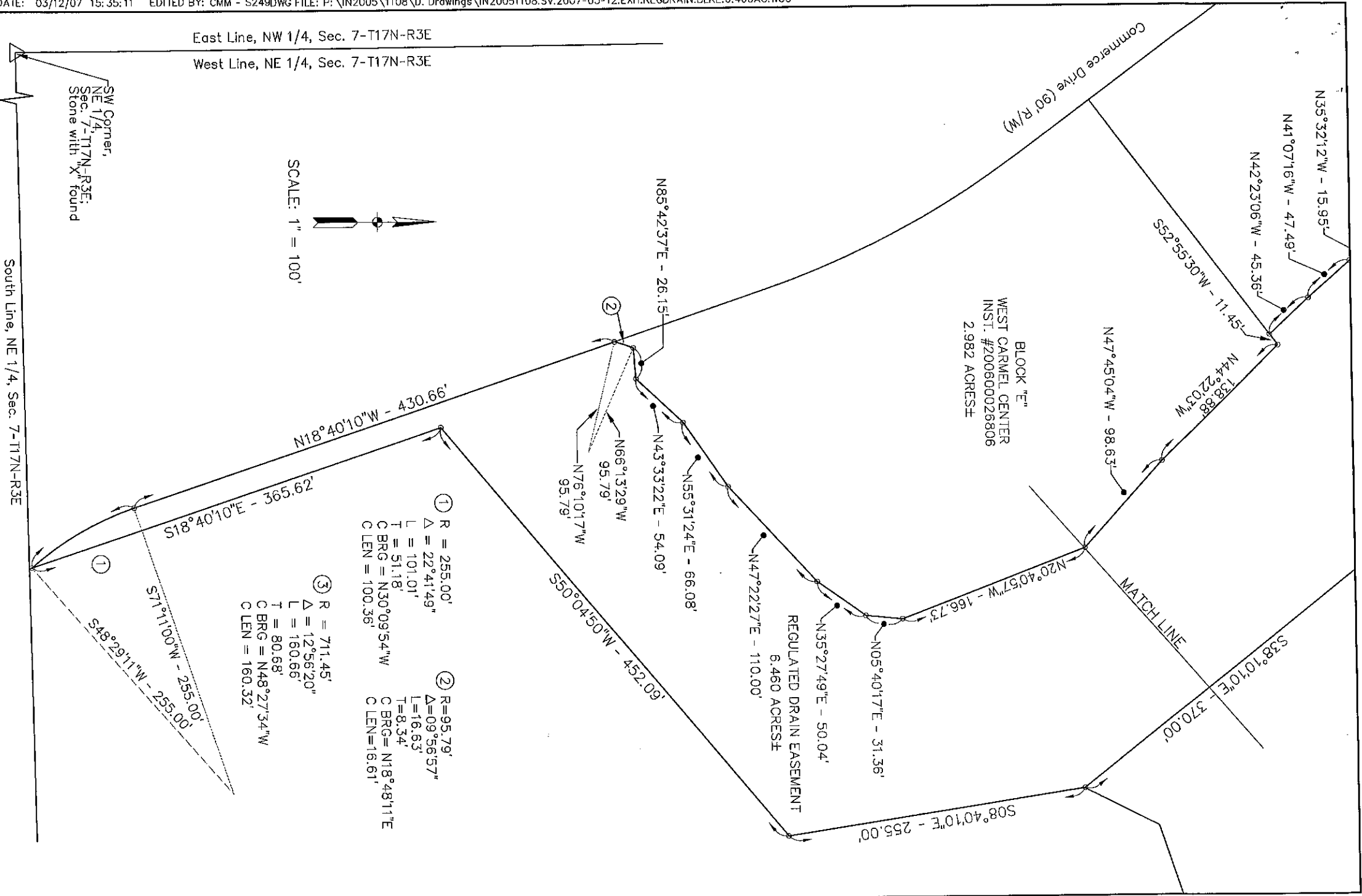
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DESC. FILE:



- ① R = 255.00'
Δ = 22°41'49"
L = 101.01'
T = 51.18'
C BRG = N30°09'54"W
C LEN = 100.36'
- ② R = 95.79'
Δ = 09°56'57"
L = 16.63'
T = 8.34'
C BRG = N18°48'11"E
C LEN = 16.61'
- ③ R = 711.45'
Δ = 12°56'20"
L = 160.66'
T = 80.68'
C BRG = N48°27'34"W
C LEN = 160.32'

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	4

DESC. FILE:

LAND DESCRIPTION
 Regulated drain easement
 Through the 9.520 acre portion of Block E at West Carmel Center
LIMITED WARRANTY DEED
 Recorded as instrument #200500023987

Version 2
 February 19, 2007

A part of the Northeast Quarter of Section 7, Township 17 North, Range 3 East located in Clay Township, Hamilton County, Indiana being bounded as follows:

BEGINNING at a point on the West Line of the Northeast Quarter of Section 7, Township 17 North, Range 3 East, said point of beginning being the terminus of the first course in the land description of the 80.486 acre tract of land described in the **SPECIAL WARRANTY DEED** recorded as instrument #9709729899 by the Recorder of Hamilton County, Indiana and being South 00 degrees 25 minutes 52 seconds East (assumed bearing) 1,104.60 feet from the Northwest Corner of said Northeast Quarter, the following seven (7) courses are along the boundary of said 80.486 acre tract of land; 1) thence North 88 degrees 54 minutes 54 seconds East 478.19 feet; 2) thence South 37 degrees 40 minutes 10 seconds East 193.33 feet; 3) thence South 51 degrees 33 minutes 42 seconds East 369.72 feet; 4) thence South 38 degrees 10 minutes 10 seconds East 370.00 feet; 5) thence South 08 degrees 40 minutes 10 seconds East 255.00 feet; 6) thence South 50 degrees 04 minutes 50 seconds West 452.09 feet; 7) thence South 18 degrees 40 minutes 10 seconds East 365.62 feet to the point of beginning of the 0.014 acre tract of land described in the **LIMITED WARRANTY DEED** recorded as instrument #200500023990 by said Recorder, said point being a point of cusp with a non-tangent curve concave to the northeast and being South 48 degrees 29 minutes 11 seconds West 255.00 feet from the radius point of said curve; thence northwesterly and northerly 101.01 feet (computed, 103.71 feet by deed) along the eastern boundary of said 0.014 acre tract of land and along said curve to the eastern right-of-way line of Commerce Drive as per the plat of Block "F" of West Carmel Center recorded as instrument #200300041665 in Plat Cabinet 3, slide 163 by said Recorder to the northern corner of said 0.014 acre tract of land, said point being South 71 degrees 11 minutes 00 seconds West 255.00 feet from the radius point of said curve; thence North 18 degrees 40 minutes 10 seconds West 430.66 feet to a point on a non-tangent curve concave to the east, said point being North 76 degrees 10 minutes 17 seconds West 95.79 feet from the radius point of said curve; thence northerly and northeasterly 16.63 feet along said curve to the southern boundary of the 2.982 acre tract of land described in the **LIMITED WARRANTY DEED** recorded as instrument #200600026806 by said Recorder, said point being North 66 degrees 13 minutes 29 seconds West 95.79 feet from the radius point of said curve, the following ten (10) courses are along the boundary of said 2.982 acre tract of land; 1) thence North 85 degrees 42 minutes 37 seconds East 26.15 feet; 2) thence North 43 degrees 33 minutes 22 seconds East 54.09 feet; 3) thence North 55 degrees 31 minutes 24 seconds East 66.08 feet; 4) thence North 47 degrees 22 minutes 27 seconds East 110.00 feet; 5) thence North 35 degrees 27 minutes 49 seconds East 50.04 feet; 6) thence North 05 degrees 40 minutes 17 seconds East 31.36 feet; 7) thence North 20 degrees 40 minutes 57 seconds West 166.73 feet; 8) thence North 47 degrees 45 minutes 04 seconds West 98.63 feet; 9) thence North 44 degrees 22 minutes 03 seconds West 138.88 feet; 10) thence South 52 degrees 55 minutes 30 seconds West 11.45 feet; thence North 42 degrees 23 minutes 06 seconds West 45.36 feet; thence North 41 degrees 07 minutes 16 seconds West 47.49 feet; thence North 35 degrees 32 minutes 12 seconds West 15.95 feet; thence North 29 degrees 46 minutes 38 seconds West 135.90 feet; thence North 05 degrees 33 minutes 17 seconds West 8.83 feet; thence North 48 degrees 55 minutes 50 seconds West 47.04 feet; thence North 42 degrees 46 minutes 59 seconds West 43.96 feet; thence North 45 degrees 44 minutes 28 seconds West 39.01 feet; thence North 44 degrees 10 minutes 21 seconds West 97.74 feet; thence North 65 degrees 12 minutes 13 seconds West 9.42 feet; thence North 73 degrees 26 minutes 04 seconds West 42.18 feet; thence South 87 degrees 59 minutes 01 second West 46.93 feet; thence North 86 degrees 08 minutes 40 seconds West 82.38 feet; thence North 88 degrees 04 minutes 50 seconds West 21.92 feet; thence North 84 degrees 36 minutes 39 seconds West 46.25 feet; thence South 67 degrees 42 minutes 36 seconds West 34.38 feet; thence South 87 degrees 01 minute 12 seconds West 11.65 feet to the eastern right-of-way line of Commerce Drive as plated in Block "D" of West Carmel Center as per plat thereof recorded as instrument #200000057496 in Plat Cabinet 2, slide 515 by said Recorder, said point being on a non-tangent curve concave to the southwest and being North 48 degrees 00 minutes 36 seconds East 711.45 feet from the radius point of said curve; thence northwesterly 160.66 feet along the eastern right-of-way line of Commerce Drive and along said curve to its point of tangency, said point of tangency being North 35 degrees 04 minutes 16 seconds East 711.45 feet from the radius point of said curve; thence North 54 degrees 55 minutes 44 seconds West 27.85 feet along the eastern right-of-way line of Commerce Drive to the **POINT OF BEGINNING** containing 6.460 acres, more or less.

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