

WJL
(2)

2008061739 EASEMENTS \$0.00
12/23/2008 10:13:08A 3 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

DOCUMENT CROSS REFERENCE INSTRUMENT No. 9116841

DRAINAGE EASEMENT

THIS INDENTURE WITNESSETH: That Richard & Nancy Lowery

(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.

1 of 3
Form revised 01/02/02

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

17 day of October, 2013

GRANTOR

Richard Sawyer
Nancy Sawyer

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Subscribed and sworn to before me, a Notary Public this 17th day of October,
2013 personally appeared the within named Richard & Nancy Sawyer
_____ and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal.

Julie Gibson

Julie A. Gibson

Notary Public,
Residing in Hamilton County, IN



My Commission Expires
01/05/2013

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

2 of 3
Form revised 01/02/02

Adobe PDF Filable Form

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.

Michael Howard

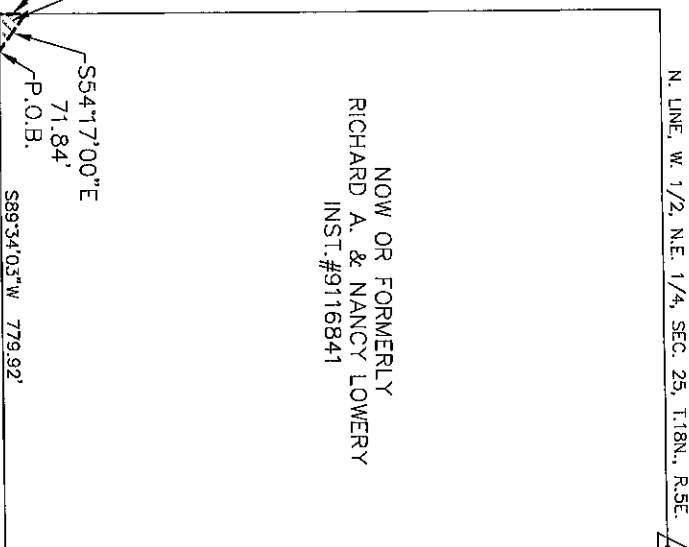


CONSULTING ENGINEERS LAND SURVEYORS

9940 Allisonville Rd. • Fishers, IN 46038
(317) 849-5935 • 1-800-728-6917 • FAX: (317) 849-5942
DIR: 5237551 X-FILE: 5237551 SUB-FILE: STRM-EASEMENT-LOWERY

JOB ID _____
CONTROL # 5237551

EAST 136TH STREET
N. LINE, W. 1/2, N.E. 1/4, SEC. 25, T.18N., R.5E.
NOW OR FORMERLY
RICHARD A. & NANCY LOWERY
INST. #9116841



E. LINE, W. 1/2, N.E. 1/4, SEC. 25, T.18N., R.5E.
S00°16'52"E 1039.50'

STORM SEWER EASEMENT

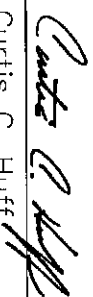
SCALE: 1" = 300'



A part of the West Half of the Northeast Quarter of Section 25, Township 18 North, Range 5 East, Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Half Quarter Section; thence South 00 degrees 16 minutes 52 seconds East along the East line of said Half Quarter Section 1,039.50 feet to the Southeast corner of the real estate described in Instrument Number 9116841 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 34 minutes 03 seconds West along the South line of said real estate 779.92 feet to the POINT OF BEGINNING of this description; thence continuing South 89 degrees 34 minutes 03 seconds West along said South line 58.12 feet to the Southwest corner of said real estate; thence North 00 degrees 16 minutes 52 seconds West parallel with said East line and along the West line of said real estate 42.37 feet; thence South 54 degrees 17 minutes 00 seconds East 71.84 feet to the place of beginning, containing 0.028 acres, more or less.

September 12, 2006
Keesee ROCK


Curtis C. Huff
Registered Land Surveyor
No. 80040348

