

SANITARY SEWER EASEMENT AGREEMENT

Project Number: 76113;
Project Name: Lakeside Sewer Separation;
Deed Reference: Deed Book 198, Page 91 & 92;

THIS SANITARY SEWER EASEMENT AGREEMENT (“Agreement”) is entered into this _____ day of _____, 2016, by and between **Fort Wayne Board of Park Commissioners** (“Grantor”) and the **City of Fort Wayne, Indiana** (“Grantee”).

RECITALS

- A. Grantor is the owner in fee simple of certain real property (“Real Estate”) located in the City of Fort Wayne, Indiana, described and depicted in Exhibit “A, pages 1-10,” and Exhibit “B, pages 1-11,” all attached hereto and made a part of this Agreement by this reference.
- B. Grantor has agreed to grant a permanent utility easement (“Permanent Easement”) to Grantee across, over, under, thru, and on top of a portion of the Real Estate in the location and dimensions described and depicted in the aforementioned respective Exhibits, for the purposes set out in this Agreement.
- C. Grantor has also agreed to grant a temporary access easement (“Temporary Easement”) to Grantee across the Real Estate in the location and dimensions described and depicted in the aforementioned respective Exhibits for the purposes set out in this Agreement.
- D. Grantee has accepted or will accept the Permanent Easement and Temporary Easement (collectively referred to herein as the “Easement”) pursuant to this Agreement.

AGREEMENT

In consideration of the foregoing and the mutual covenants and agreements set forth in this Agreement, and for valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, the parties hereto agree as follows:

1. Permanent Easement Grant: Grantor hereby grants, warrants, and conveys to Grantee a permanent, non-exclusive sanitary sewer easement across, over, under, through and on top of the Easement for use by Grantee in constructing, installing, operating,

maintaining, repairing, and reconstructing, within, under, or on top of the Easement, sewer pipes, manholes, valves and related equipment, structures or materials which are designated by the Grantee as public sanitary sewer improvements (collectively referred to herein as "Public Sanitary Sewer Improvements"), to be placed under Grantee's jurisdiction, control, and supervision.

2. Access Rights: Grantee, including Grantee's agents, employees, contractors, sub-contractors, and assigns, have the rights of ingress and egress within the Easement at all times for the purposes described in Paragraph 1 herein. Grantee shall provide reasonable notice of entry when practicable to Grantor prior to entering upon the Easement for such purposes, and when entering on the Easement the Grantee shall use Grantee's best efforts to minimize interference with Grantor's use of the Real Estate.

3. Permissible Improvements Within Easement: Grantor may install asphalt, concrete, blacktop, and other pavement, curbs, grass, and low level plantings with shallow root systems. Small temporary structures are permissible within the Easement. Grantee shall have the right to remove any temporary structure, asphalt, concrete, blacktop, other pavement, or any impediment that is present within or on top of the Easement, if Grantee finds it reasonably necessary to do so in order to access the Public Potable Water Improvements. Grantee agrees to repair or pay the Grantor for actual damages sustained by Grantor in accordance with Paragraph 6.

4. Non-Permissible Improvements Within Easement: Except as provided in paragraph 3 above, nothing shall be placed in, on, over or under the Easement, whether by Grantor, with Grantor's knowledge, or after Grantor's ratification after the fact, which will obstruct or interfere with the purpose of the Easement, or with Grantee's access to the Easement, or with Grantee's access to the Public Sanitary Sewer Improvements, unless such placement has been authorized in writing in advance by Grantee. Whether or not an action, the placement of, or the construction of an item or material obstructs or interferes with the purpose of or access to the Easement or Public Sanitary Sewer Improvements is a fact to be determined by the Grantee. This restriction also applies to actions, materials, and/or other items placed outside of the Easement that affect Grantee's access to the Easement or the Public Sanitary Sewer Improvements.

4a. Grantee may remove any unauthorized obstruction or impediment placed in, on, over, under, or outside of the Easement without obligation to restore or replace said unauthorized obstruction or impediment. Grantee shall have no duty to restore any disturbance or damage caused to the Real Estate that may occur during the removal of any such unauthorized obstruction or impediment. If Grantee removes any such unauthorized obstruction or impediment, Grantor shall reimburse Grantee for Grantee's reasonable costs and fees associated with said removal.

4b. Grantee may choose to have Grantor remove any unauthorized obstruction or impediment solely at Grantor's cost and expense.

5. Maintenance: Grantee shall provide and shall pay all costs in connection with functional maintenance of the Public Sanitary Sewer Improvements within the Easement as determined by the Grantee in order to assure adequate functioning of the Public Sanitary Sewer Improvements. Grantee shall not be liable for general maintenance of the Easement. Grantor shall be liable for general maintenance of the Easement, including mowing and compliance with paragraphs 3 and 4 above.

6. Damages Caused by Grantee: Grantee agrees to repair or pay the Grantor for actual damages sustained by Grantor to fences, gates, irrigation and drainage systems, curbs, drives, parking areas, sidewalks, lawns, signs, and crops that are permitted herein, when such damages arise out of Grantee's independent contractors (as hereinafter defined).

6a. Grantee agrees to restore the surface of the Easement to substantially the condition in which the surface of the Easement was found immediately prior to Grantee's entry onto the Easement for purposes of this Agreement, subject to paragraph 7 below.

6b. Except as otherwise provided herein, Grantee shall not be responsible or liable for claims resulting from damage to any land, crops, livestock, improvements, or the environment, within or outside of the Easement, caused by Grantee's assigns, agents, contractors, or sub-contractors [hereinafter referred to as "independent contractor(s)"]. However, Grantee shall make prompt and diligent efforts to hold accountable the Grantee's independent contractor(s) that is/are responsible for the damage or claim. In the event of non-performance by the Grantee's independent contractor(s) within thirty (30) days, Grantee, shall, at Grantee's discretion, either (1) take action to cure the damage or claim, or (2) request action by the independent contractor(s) performance bond agent(s) to cure the damage or claim.

6c. Grantee's Indemnity of Grantor: Grantee agrees to indemnify and hold harmless Grantor, including Grantor's agents, employees, contractors and assigns from and against any and all claims against the Grantor for direct damage injuries, losses, demand and costs arising out of or in any manner associated with Grantee's exercise of the rights herein granted.

7. Construction Plan Compliance: Grantor understands that any construction, installation, operation, maintenance, repairs, or reconstruction of the Public Utility Improvements may be performed by an employee, contractor, or sub-contractor of Grantee, and as such, any such work, including restoration of the Easement after the aforementioned work is complete, shall comply with the drawings, specifications, and plans that Grantee possesses for said work. Upon written request from Grantor, Grantee shall submit a copy of said drawings, specifications, or plans to Grantor.

8. Grantor's Indemnity of Grantee: Grantor agrees to indemnify and hold harmless the Grantee, including Grantee's agents, employees, contractors and assigns, from and

against any and all claims against the Grantee for direct damages, injuries, losses, demands or costs arising out of or in any manner associated with Grantor's possession, control, operation, use or maintenance of the Real Estate and/or the Easement, except for any claims arising as a result of the Grantee's negligent acts and omissions, to the extent permitted by law.

9. Limitation of Indemnity: The indemnification provided herein by Grantor pursuant to paragraph 8 is limited to indemnity for direct damages and expressly excludes indemnification for special, consequential, punitive, and incidental damages.

10. Continuing Effect: The terms and provisions of this Agreement shall be binding upon the Grantor, including the Grantor's heirs, legal representatives, successors, nominees and assigns, and shall run with the Real Estate. Any subsequent sale or transfer of the Real Estate shall be subject to this Agreement. This Agreement is subject to all prior easements and other encumbrances of record.

11. Grantor's Use: Except as to the rights granted in this Agreement, Grantor shall have the full use and control of the Easement.

12. Amendments: This Agreement may only be amended by prior written consent signed by Grantor and Grantee.

13. Notices: All notices to either party shall be sent to the following addresses:

If to the Grantor: **Fort Wayne Board of Park Commissioners**
705 E. State Blvd
Fort Wayne, Indiana 46805

If to the Grantee: City Utilities Engineering
Attn: Real Estate
200 E. Berry St., Suite 250
Fort Wayne, Indiana 46802

Either party to this Agreement may change their respective address by mailing notice of same to the other party via certified mail.

14. Governing Law: The laws of the State of Indiana shall govern this Agreement.

15. Grantor's Covenant of Ownership: Grantor covenants that Grantor is the lawful owner of the Real Estate, that Grantor is freely and lawfully granting the easement rights herein, and that Grantor has full right and power to convey the same.

16. Incorporation of Recitals: All recitals set forth at the outset of this Agreement are incorporated herein by this reference and are true.

17. Entire Agreement: The seven (7) pages of this Agreement, along with the attached Exhibit(s) “A, pages 1-10” and “B, pages 1-11,” comprise the entire Agreement made between the City of Fort Wayne, Indiana and **Fort Wayne Board of Park Commissioners** on this date.

18. Temporary Construction Easement Duration: The Temporary Easement granted herein shall terminate either: (1) after all construction and restoration has been completed on the Real Estate, or (2) after three years from the date of the execution of this Agreement, whichever shall occur first.

(Signature pages and Exhibits to follow.)

IN TESTIMONY WHEREOF, witness the signature of Grantor on this ____ day of _____, 2016.

GRANTOR: Fort Wayne Board of Park Commissioners

Signature: _____ (must be signed in front of a Notary Public)
Richard Samek, Board President

Signature: _____ (must be signed in front of a Notary Public)
Pamela Kelly, Vice President

Signature: _____ (must be signed in front of a Notary Public)
William Zielke, Commissioner

Signature: _____ (must be signed in front of a Notary Public)
Justin Shurley, Commissioner

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF INDIANA)
) **SS:**
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared **Richard Samek, Pamela Kelly, William Zielke, Justin Shurley**, on behalf of **Fort Wayne Board of Park Commissioners** and acknowledged the execution of the foregoing **Grant of Sanitary Sewer Easement Agreement** as a voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and seal this ____ day of _____, 2016.

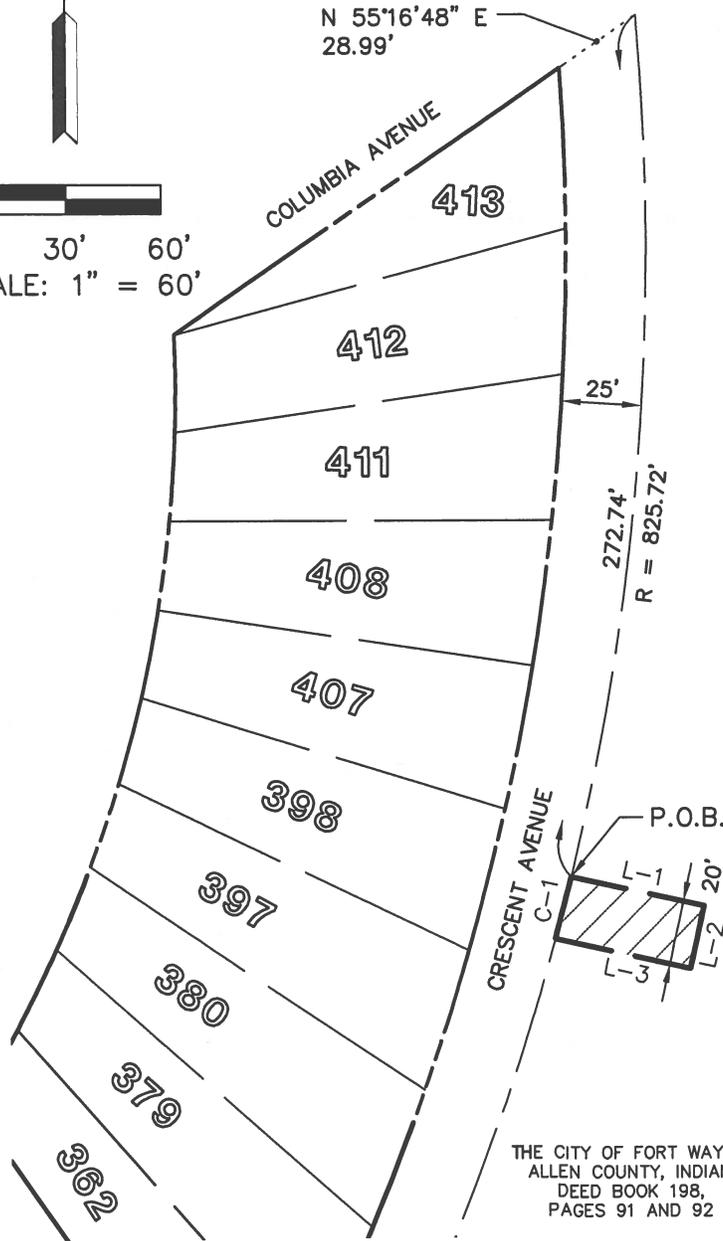
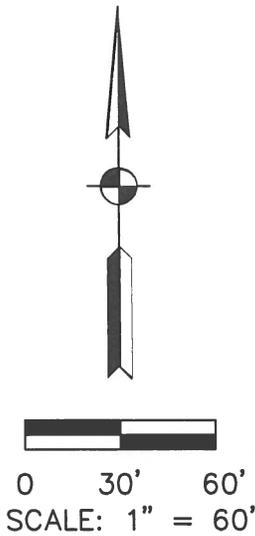
Notary Public Signature

Notary Public Printed Name

My Commission Expires: _____

My County of Residence: _____

PERMANENT STORM SEWER EASEMENTS



THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA
DEED BOOK 198,
PAGES 91 AND 92

LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	S 77°23'04" E	42.51'
L-2	S 12°36'56" W	20.00'
L-3	N 77°23'04" W	43.27'

CURVE TABLE		
CURVE ID	RADIUS	LENGTH
C-1	825.72'	20.02'

NOTE:
THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.

 PERMANENT EASEMENT AREA
(857 SQ. FT.)

LEGEND	
	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

PERMANENT STORM SEWER EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: 1" = 60'
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
	Checked By: MRH
	Date: 09/28/2016

THIS EXHIBIT WAS PREPARED BY:



VS ENGINEERING, INC.

4275 N. HIGH SCHOOL RD. INDIANAPOLIS, INDIANA 46254
TEL. (317) 293-3542 FAX: (317) 293-4737

PERMANENT STORM SEWER EASEMENTS

A part of Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana, and being that part of the grantor's land described in Deed Book 198, Pages 91 and 92, in the Office of the Recorder of said County and State, more particularly described as follows:

Commencing at the northeast corner of Lot 413 in said addition; thence North 55 degrees 16 minutes 48 seconds East 28.99 feet along the prolonged northwestern line of said lot to the centerline of Crescent Avenue in said addition; thence along said centerline Southwesterly 272.74 feet along an arc to the right having a radius of 825.72 feet and subtended by a long chord having a bearing of South 4 degrees 39 minutes 06 seconds West and a length of 271.50 feet to the POINT OF BEGINNING of this description: thence South 77 degrees 23 minutes 04 seconds East 42.51 feet; thence South 12 degrees 36 minutes 56 seconds West 20.00 feet; thence North 77 degrees 23 minutes 04 seconds West 43.27 feet to the centerline of said Crescent Avenue; thence along said centerline Northeasterly 20.02 feet along an arc to the left having a radius of 825.72 feet and subtended by a long chord having a bearing of North 14 degrees 48 minutes 31 seconds East and a length of 20.01 feet to the POINT OF BEGINNING and containing 857 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



PERMANENT STORM SEWER EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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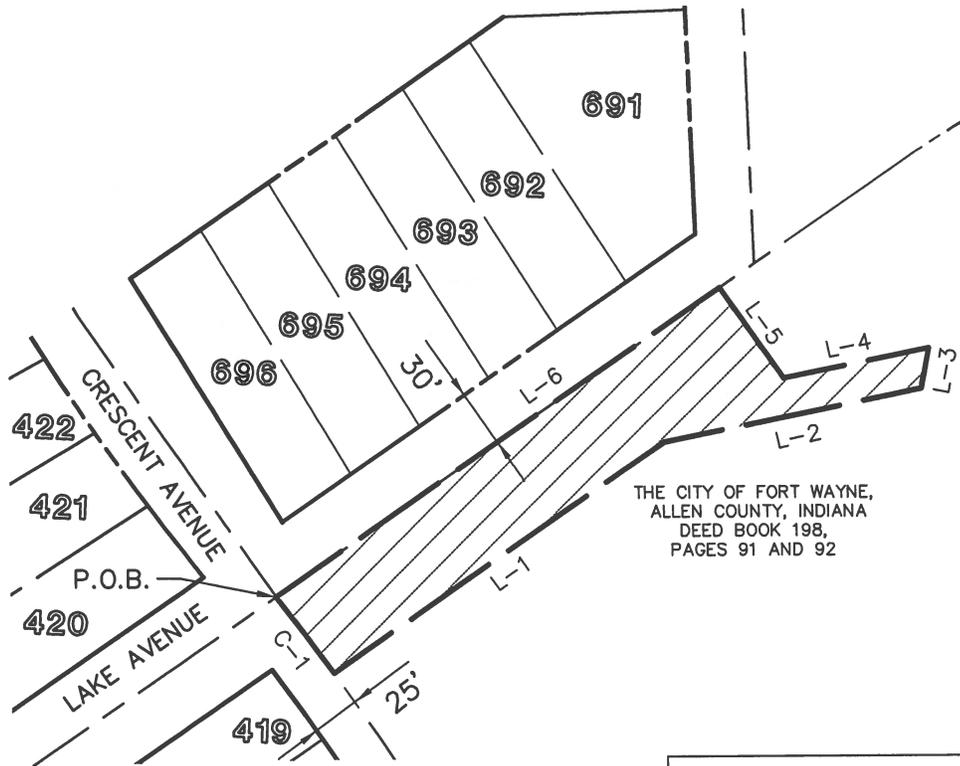
VS ENGINEERING, INC.

4275 N. HIGH SCHOOL RD. INDIANAPOLIS, INDIANA 46254
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PERMANENT STORM SEWER EASEMENTS



0 50' 100'
SCALE: 1" = 100'



THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA
DEED BOOK 198,
PAGES 91 AND 92

NOTE:
THIS DRAWING IS NOT INTENDED TO BE REPRESENTED
AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY,
A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.

 PERMANENT EASEMENT AREA
(16,554 SQ. FT.)

LEGEND

	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

CURVE TABLE		
CURVE ID	RADIUS	LENGTH
C-1	1,457.40'	50.04'

LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	N 55°17'34" E	211.43'
L-2	N 78°15'34" E	137.05'
L-3	N 10°42'19" E	21.64'
L-4	S 78°15'34" W	77.41'
L-5	N 34°42'26" W	58.08'
L-6	S 55°17'34" W	283.56'

PERMANENT STORM SEWER EASEMENT
PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE
WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA

THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54
STATE PARCEL No. 02-07-36-483-001.000-074

Scale: 1" = 100'

VS Proj. No.: 15-3350

Drawn By: CAP

Checked By: MRH

Date: 09/28/2016

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Beginning at the intersection of the centerline of Lake Avenue and the centerline of Crescent Avenue in said addition; thence along the centerline of said Crescent Avenue Southeasterly 50.04 feet along an arc to the right having a radius of 1,457.40 feet and subtended by a long chord having a bearing of South 36 degrees 46 minutes 58 seconds East and a length of 50.03 feet; thence North 55 degrees 17 minutes 34 seconds East 211.43 feet; thence North 78 degrees 15 minutes 34 seconds East 137.05 feet; thence North 10 degrees 42 minutes 19 seconds East 21.64 feet; thence South 78 degrees 15 minutes 34 seconds West 77.41 feet; thence North 34 degrees 42 minutes 26 seconds West 58.08 feet to the centerline of said Lake Avenue; thence South 55 degrees 17 minutes 34 seconds West 283.56 feet along the centerline of said Lake Avenue to the POINT OF BEGINNING and containing 16,554 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



PERMANENT STORM SEWER EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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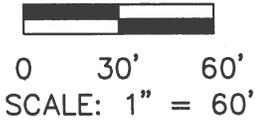
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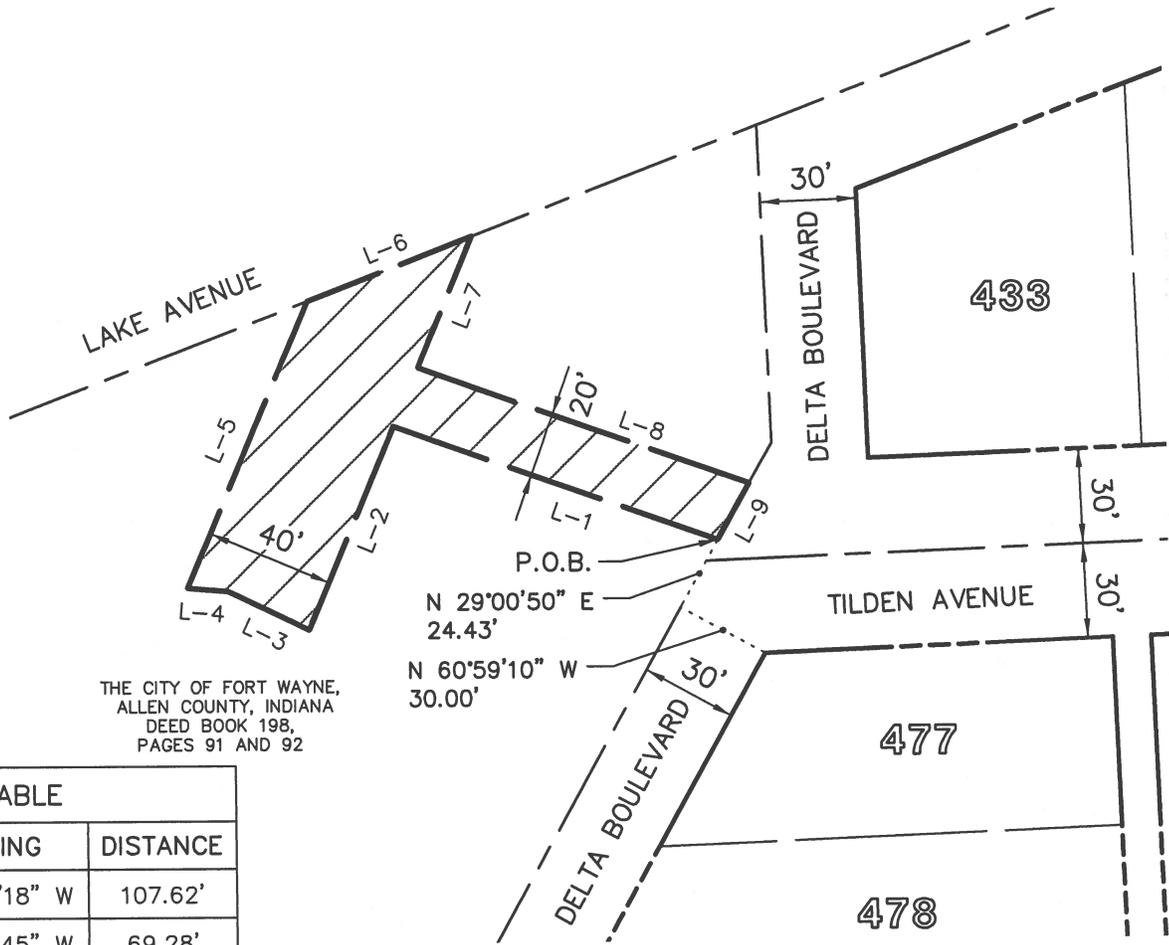
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PERMANENT STORM SEWER EASEMENTS



NOTE:
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THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA
DEED BOOK 198,
PAGES 91 AND 92



PERMANENT EASEMENT AREA (6,741 SQ. FT.)

LEGEND

	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	N 70°28'18" W	107.62'
L-2	S 22°51'45" W	69.28'
L-3	N 63°53'34" W	27.87'
L-4	N 85°10'40" W	12.80'
L-5	N 22°51'45" E	97.56'
L-6	N 68°42'05" E	55.76'
L-7	S 22°51'45" W	44.70'
L-8	S 70°28'18" E	109.80'
L-9	S 29°00'50" W	20.28'

PERMANENT STORM SEWER EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: 1" = 60'
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
	Checked By: MRH
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VS ENGINEERING, INC.

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EXHIBIT "A"
PAGE 6 OF 10

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Commencing at the northwest corner of Lot 477 in Plat B Lakeside Park Addition Amended, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 4, Page 34, in the Office of the Recorder of Allen County, Indiana; thence North 60 degrees 59 minutes 10 seconds West 30.00 feet to the centerline of Delta Boulevard in said addition, which centerline is coincident with the centerline of Delta Boulevard in Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana; thence North 29 degrees 00 minutes 50 seconds East 24.43 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING of this description: thence North 70 degrees 28 minutes 18 seconds West 107.62 feet; thence South 22 degrees 51 minutes 45 seconds West 69.28 feet; thence North 63 degrees 53 minutes 34 seconds West 27.87 feet; thence North 85 degrees 10 minutes 40 seconds West 12.80 feet; thence North 22 degrees 51 minutes 45 seconds East 97.56 feet to the centerline of Lake Avenue in said Lakeside Park Addition; thence North 68 degrees 42 minutes 05 seconds East 55.76 feet along the centerline of said Lake Avenue; thence South 22 degrees 51 minutes 45 seconds West 44.70 feet; thence South 70 degrees 28 minutes 18 seconds East 109.80 feet to the centerline of said Delta Boulevard; thence South 29 degrees 00 minutes 50 seconds West 20.28 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING and containing 6,741 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).

Charles A. Peoni

VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



PERMANENT STORM SEWER EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
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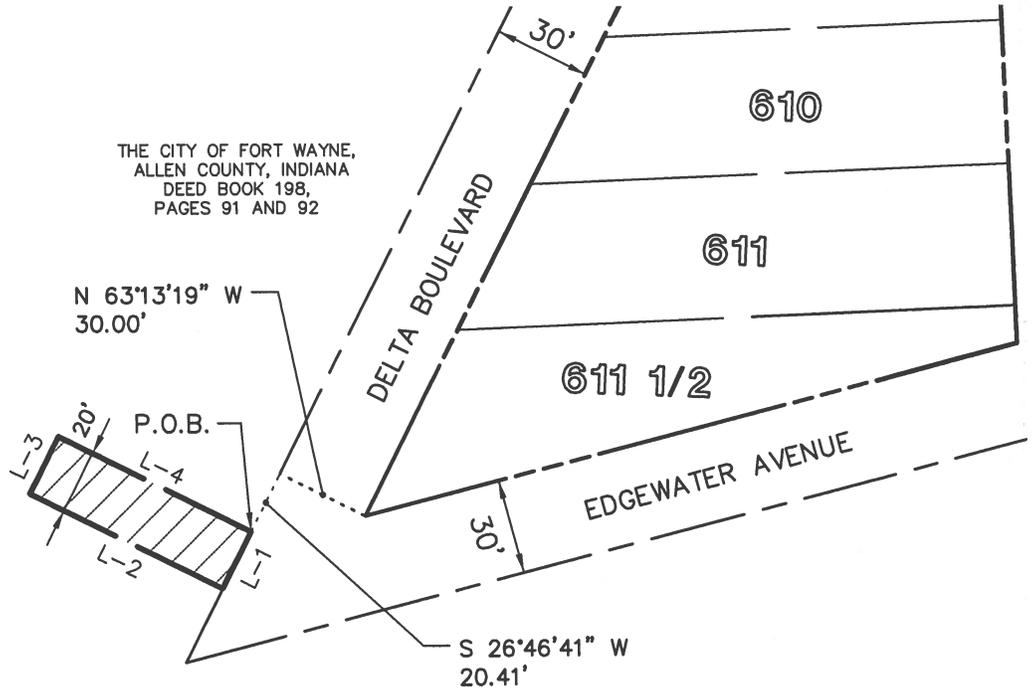
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PERMANENT STORM SEWER EASEMENTS



0 30' 60'
SCALE: 1" = 60'

THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA
DEED BOOK 198,
PAGES 91 AND 92



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A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.

 PERMANENT EASEMENT AREA
(1,340 SQ. FT.)

LEGEND

	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	S 26°46'41" W	20.00'
L-2	N 63°13'19" W	67.02'
L-3	N 26°46'41" E	20.00'
L-4	S 63°13'19" E	67.02'

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Commencing at the southwest corner of Lot 611 1/2 in Plat B Lakeside Park Addition Amended, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 4, Page 34, in the Office of the Recorder of Allen County, Indiana; thence North 63 degrees 13 minutes 19 seconds West 30.00 feet to the centerline of Delta Boulevard in said addition, which centerline is coincident with the centerline of Delta Boulevard in Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana; thence South 26 degrees 46 minutes 41 seconds West 20.41 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING of this description: thence continuing South 26 degrees 46 minutes 41 seconds West 20.00 feet along said centerline; thence North 63 degrees 13 minutes 19 seconds West 67.02 feet; thence North 26 degrees 46 minutes 41 seconds East 20.00 feet; thence South 63 degrees 13 minutes 19 seconds East 67.02 feet to the POINT OF BEGINNING and containing 1,340 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
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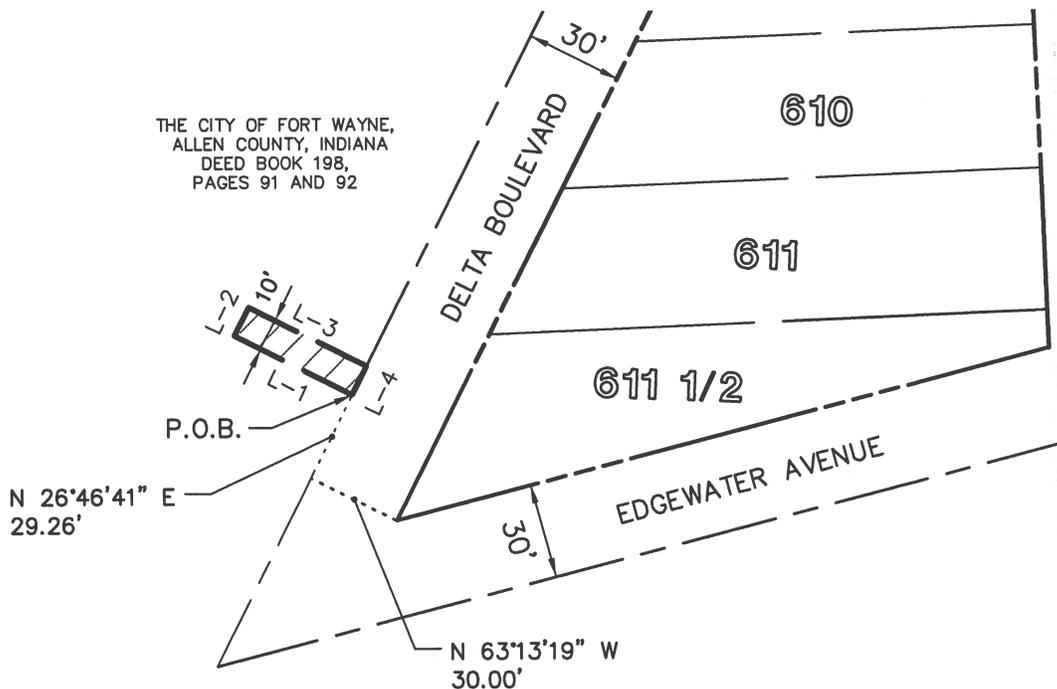
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PERMANENT STORM SEWER EASEMENTS



0 30' 60'
SCALE: 1" = 60'

THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA
DEED BOOK 198,
PAGES 91 AND 92



NOTE:
THIS DRAWING IS NOT INTENDED TO BE REPRESENTED
AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY,
A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.



PERMANENT EASEMENT AREA
(412 SQ. FT.)

LEGEND

	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	N 63°13'19" W	41.22'
L-2	N 26°46'41" E	10.00'
L-3	S 63°13'19" E	41.22'
L-4	S 26°46'41" W	10.00'

PERMANENT STORM SEWER EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: 1" = 60'
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
	Checked By: MRH
	Date: 09/28/2016

THIS EXHIBIT WAS PREPARED BY:



VS ENGINEERING, INC.

4275 N. HIGH SCHOOL RD. INDIANAPOLIS, INDIANA 46254
TEL. (317) 293-3542 FAX: (317) 293-4737

PERMANENT STORM SEWER EASEMENTS

A part of Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana, and being that part of the grantor's land described in Deed Book 198, Pages 91 and 92, in the Office of the Recorder of said County and State, more particularly described as follows:

Commencing at the southwest corner of Lot 611 1/2 in Plat B Lakeside Park Addition Amended, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 4, Page 34, in the Office of the Recorder of Allen County, Indiana; thence North 63 degrees 13 minutes 19 seconds West 30.00 feet to the centerline of Delta Boulevard in said addition, which centerline is coincident with the centerline of Delta Boulevard in Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana; thence North 26 degrees 46 minutes 41 seconds East 29.26 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING of this description: thence North 63 degrees 13 minutes 19 seconds West 41.22 feet; thence North 26 degrees 46 minutes 41 seconds East 10.00 feet; thence South 63 degrees 13 minutes 19 seconds East 41.22 feet to the centerline of said Delta Boulevard; thence South 26 degrees 46 minutes 41 seconds West 10.00 feet along said centerline to the POINT OF BEGINNING and containing 412 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



PERMANENT STORM SEWER EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
	Checked By: MRH
	Date: 09/28/2016

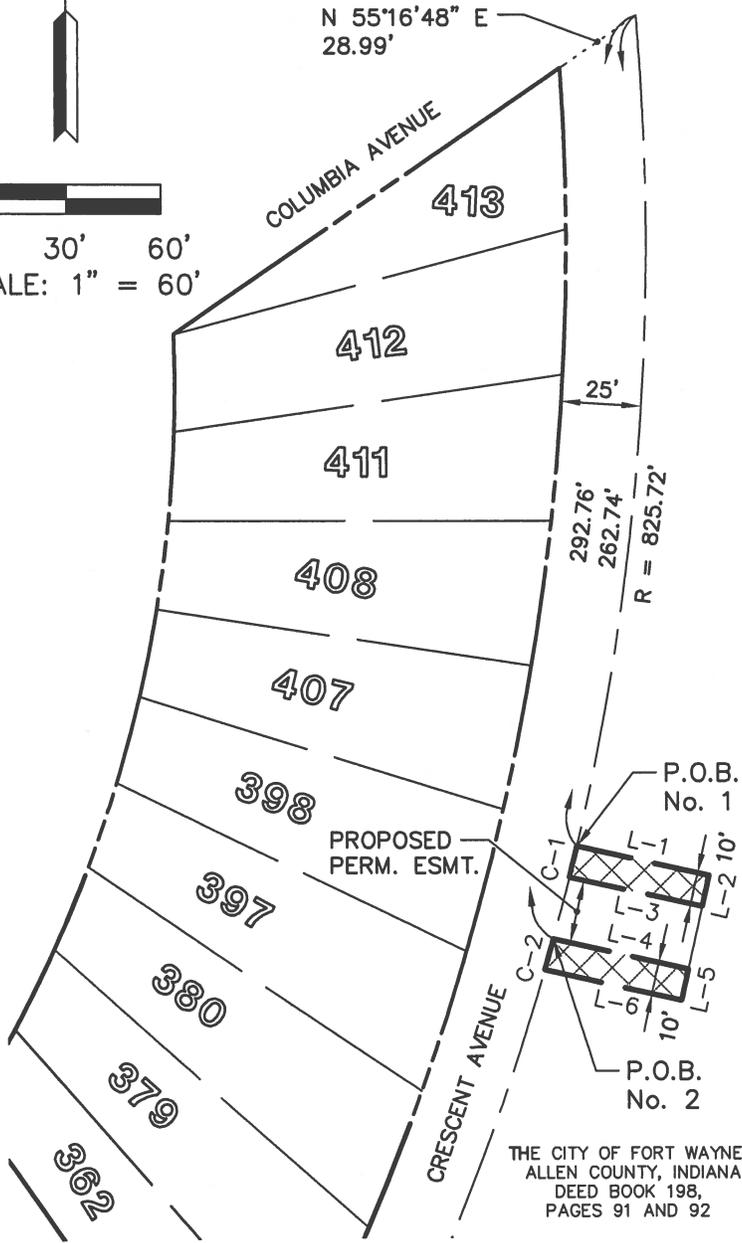
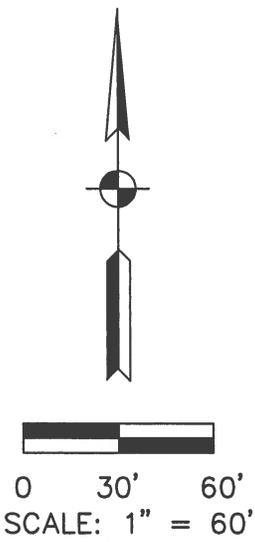
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VS ENGINEERING, INC.

4275 N. HIGH SCHOOL RD. INDIANAPOLIS, INDIANA 46254
TEL. (317) 293-3542 FAX: (317) 293-4737

TEMPORARY CONSTRUCTION EASEMENTS



LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	S 77°23'04" E	42.31'
L-2	S 12°36'56" W	10.00'
L-3	N 77°23'04" W	42.51'
L-4	S 77°23'04" E	43.27'
L-5	S 12°36'56" W	10.00'
L-6	N 77°23'04" W	43.84'

CURVE TABLE		
CURVE ID	RADIUS	LENGTH
C-1	825.72'	10.00'
C-2	825.72'	10.02'

NOTE:
THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.

 TEMPORARY EASEMENT AREA
[859 SQ. FT.
(424 SQ. FT. + 435 SQ. FT.)]

LEGEND	
	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA
DEED BOOK 198,
PAGES 91 AND 92

TEMPORARY CONSTRUCTION EASEMENT
PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE
WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA

THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54
STATE PARCEL No. 02-07-36-483-001.000-074

Scale: 1" = 60'

VS Proj. No.: 15-3350

Drawn By: CAP

Checked By: MRH

Date: 09/28/2016

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VS ENGINEERING, INC.

4275 N. HIGH SCHOOL RD. INDIANAPOLIS, INDIANA 46254
TEL. (317) 293-3542 FAX: (317) 293-4737

TEMPORARY CONSTRUCTION EASEMENTS

A part of Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana, and being that part of the grantor's land described in Deed Book 198, Pages 91 and 92, in the Office of the Recorder of said County and State, more particularly described as follows:

Commencing at the northeast corner of Lot 413 in said addition; thence North 55 degrees 16 minutes 48 seconds East 28.99 feet along the prolonged northwestern line of said lot to the centerline of Crescent Avenue in said addition; thence along said centerline Southwesterly 262.74 feet along an arc to the right having a radius of 825.72 feet and subtended by a long chord having a bearing of South 4 degrees 18 minutes 17 seconds West and a length of 261.63 feet to the POINT OF BEGINNING of this description: thence South 77 degrees 23 minutes 04 seconds East 42.31 feet; thence South 12 degrees 36 minutes 56 seconds West 10.00 feet; thence North 77 degrees 23 minutes 04 seconds West 42.51 feet to the centerline of said Crescent Avenue; thence along said centerline Northeasterly 10.00 feet along an arc to the left having a radius of 825.72 feet and subtended by a long chord having a bearing of North 13 degrees 46 minutes 02 seconds East and a length of 10.00 feet to the POINT OF BEGINNING and containing 424 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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Commencing at the northeast corner of Lot 413 in said addition; thence North 55 degrees 16 minutes 48 seconds East 28.99 feet along the prolonged northwestern line of said lot to the centerline of Crescent Avenue in said addition; thence along said centerline Southwesterly 292.76 feet along an arc to the right having a radius of 825.72 feet and subtended by a long chord having a bearing of South 5 degrees 20 minutes 46 seconds West and a length of 291.22 feet to the POINT OF BEGINNING of this description: thence South 77 degrees 23 minutes 04 seconds East 43.27 feet; thence South 12 degrees 36 minutes 56 seconds West 10.00 feet; thence North 77 degrees 23 minutes 04 seconds West 43.84 feet to the centerline of said Crescent Avenue; thence along said centerline Northeasterly 10.02 feet along an arc to the left having a radius of 825.72 feet and subtended by a long chord having a bearing of North 15 degrees 51 minutes 02 seconds East and a length of 10.02 feet to the POINT OF BEGINNING and containing 435 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
	Checked By: MRH
	Date: 09/28/2016

THIS EXHIBIT WAS PREPARED BY:



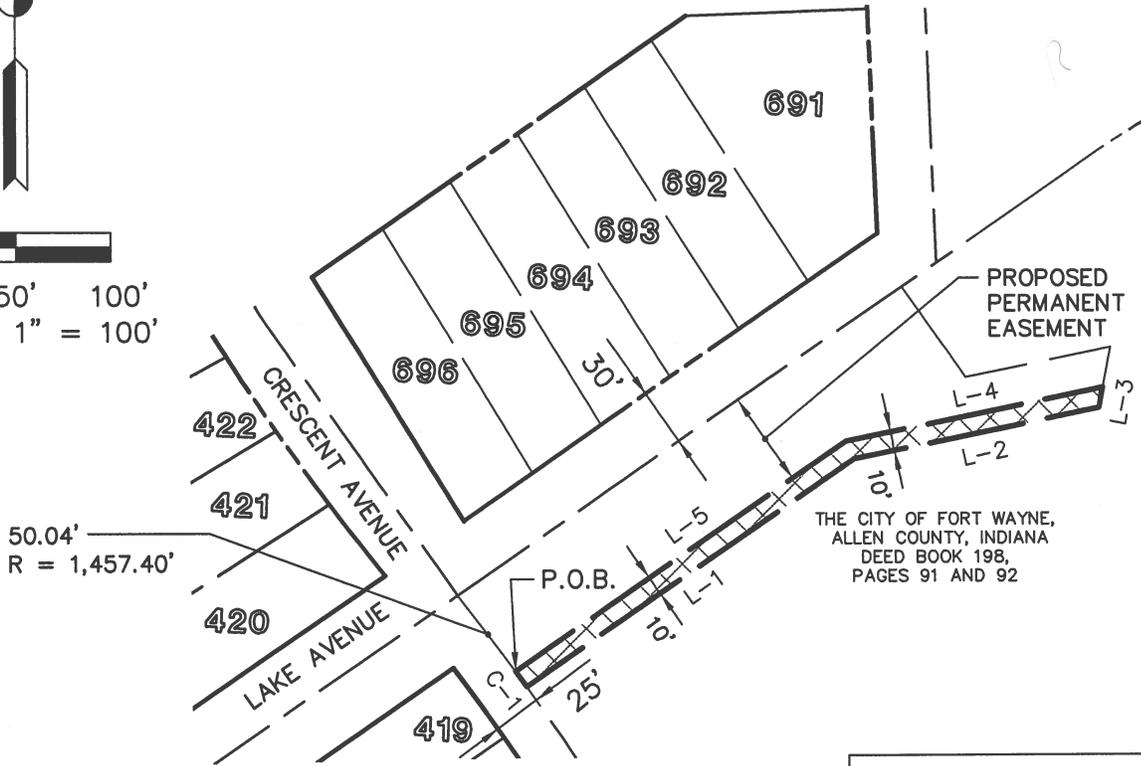
VS ENGINEERING, INC.

4275 N. HIGH SCHOOL RD. INDIANAPOLIS, INDIANA 46254
TEL. (317) 293-3542 FAX: (317) 293-4737

TEMPORARY CONSTRUCTION EASEMENTS



0 50' 100'
SCALE: 1" = 100'



THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA
DEED BOOK 198,
PAGES 91 AND 92

NOTE:
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AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY,
A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.

 TEMPORARY EASEMENT AREA
(3,443 SQ. FT.)

LEGEND

	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

CURVE TABLE		
CURVE ID	RADIUS	LENGTH
C-1	1,457.40'	10.00'

LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	N 55°17'34" E	209.24'
L-2	N 78°15'34" E	130.89'
L-3	N 10°42'19" E	10.82'
L-4	S 78°15'34" W	137.05'
L-5	S 55°17'34" W	211.43'

TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: 1" = 100'
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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Commencing at the intersection of the centerline of Lake Avenue and the centerline of Crescent Avenue in said addition; thence along the centerline of said Crescent Avenue Southeasterly 50.04 feet along an arc to the right having a radius of 1,457.40 feet and subtended by a long chord having a bearing of South 36 degrees 46 minutes 58 seconds East and a length of 50.03 feet to the POINT OF BEGINNING of this description; thence along the centerline of said Crescent Avenue Southeasterly 10.00 feet along an arc to the right having a radius of 1,457.40 feet and subtended by a long chord having a bearing of South 35 degrees 36 minutes 09 seconds East and a length of 10.00 feet; thence North 55 degrees 17 minutes 34 seconds East 209.24 feet; thence North 78 degrees 15 minutes 34 seconds East 130.89 feet; thence North 10 degrees 42 minutes 19 seconds East 10.82 feet; thence South 78 degrees 15 minutes 34 seconds West 137.05 feet; thence South 55 degrees 17 minutes 34 seconds West 211.43 feet to the POINT OF BEGINNING and containing 3,443 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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TEL. (317) 293-3542 FAX: (317) 293-4737

TEMPORARY CONSTRUCTION EASEMENTS

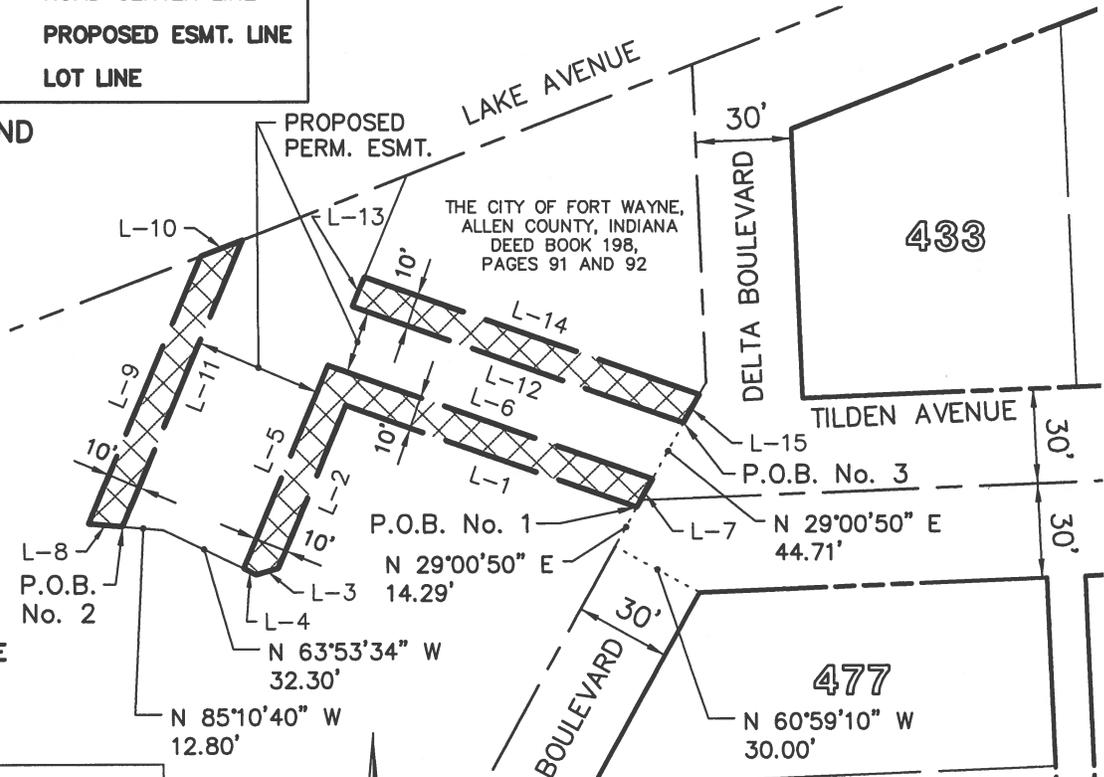
	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

LEGEND



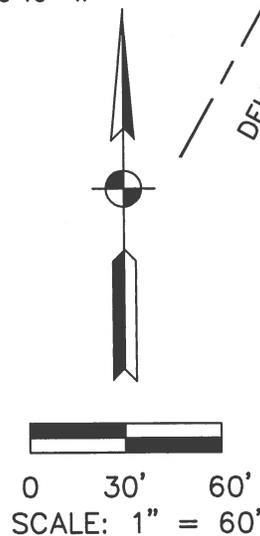
TEMPORARY
EASEMENT AREA
[3,702 SQ. FT.
(1,656 SQ. FT. +
943 SQ. FT. +
1,103 SQ. FT.)]

NOTE:
THIS DRAWING IS NOT
INTENDED TO BE
REPRESENTED AS A
RETRACEMENT OR ORIGINAL
BOUNDARY SURVEY, A ROUTE
SURVEY, OR A SURVEYOR
LOCATION REPORT.



LINE TABLE		
LINE ID	BEARING	DISTANCE
L-8	N 85°10'40" W	10.52'
L-9	N 22°51'45" E	91.10'
L-10	N 68°42'05" E	13.94'
L-11	S 22°51'45" W	97.56'
L-12	N 70°28'18" W	109.80'
L-13	N 22°51'45" E	10.02'
L-14	S 70°28'18" E	110.89'
L-15	S 29°00'50" W	10.14'

LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	N 70°28'18" W	96.52'
L-2	S 22°51'45" W	55.56'
L-3	S 73°42'49" W	7.19'
L-4	N 63°53'34" W	4.43'
L-5	N 22°51'45" E	69.28'
L-6	S 70°28'18" E	107.62'
L-7	S 29°00'50" W	10.14'



TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: 1" = 60'
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
	Checked By: MRH
	Date: 09/28/2016

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TEL. (317) 293-3542 FAX: (317) 293-4737

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Commencing at the northwest corner of Lot 477 in Plat B Lakeside Park Addition Amended, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 4, Page 34, in the Office of the Recorder of Allen County, Indiana; thence North 60 degrees 59 minutes 10 seconds West 30.00 feet to the centerline of Delta Boulevard in said addition, which centerline is coincident with the centerline of Delta Boulevard in Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana; thence North 29 degrees 00 minutes 50 seconds East 14.29 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING of this description: thence North 70 degrees 28 minutes 18 seconds West 96.52 feet; thence South 22 degrees 51 minutes 45 seconds West 55.56 feet; thence South 73 degrees 42 minutes 49 seconds West 7.19 feet; thence North 63 degrees 53 minutes 34 seconds West 4.43 feet; thence North 22 degrees 51 minutes 45 seconds East 69.28 feet; thence South 70 degrees 28 minutes 18 seconds East 107.62 feet to the centerline of said Delta Boulevard; thence South 29 degrees 00 minutes 50 seconds West 10.14 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING and containing 1,656 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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Commencing at the northwest corner of Lot 477 in Plat B Lakeside Park Addition Amended, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 4, Page 34, in the Office of the Recorder of Allen County, Indiana; thence North 60 degrees 59 minutes 10 seconds West 30.00 feet to the centerline of Delta Boulevard in said addition, which centerline is coincident with the centerline of Delta Boulevard in Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana; thence North 29 degrees 00 minutes 50 seconds East 14.29 feet along the centerline of said Delta Boulevard; thence North 70 degrees 28 minutes 18 seconds West 96.52 feet; thence South 22 degrees 51 minutes 45 seconds West 55.56 feet; thence South 73 degrees 42 minutes 49 seconds West 7.19 feet; thence North 63 degrees 53 minutes 34 seconds West 32.30 feet; thence North 85 degrees 10 minutes 40 seconds West 12.80 feet to the POINT OF BEGINNING of this description: thence continuing North 85 degrees 10 minutes 40 seconds West 10.52 feet; thence North 22 degrees 51 minutes 45 seconds East 91.10 feet to the centerline of Lake Avenue in said Lakeside Park Addition; thence North 68 degrees 42 minutes 05 seconds East 13.94 feet along the centerline of said Lake Avenue; thence South 22 degrees 51 minutes 45 seconds West 97.56 feet to the POINT OF BEGINNING and containing 943 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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Commencing at the northwest corner of Lot 477 in Plat B Lakeside Park Addition Amended, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 4, Page 34, in the Office of the Recorder of Allen County, Indiana; thence North 60 degrees 59 minutes 10 seconds West 30.00 feet to the centerline of Delta Boulevard in said addition, which centerline is coincident with the centerline of Delta Boulevard in Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana; thence North 29 degrees 00 minutes 50 seconds East 44.71 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING of this description: thence North 70 degrees 28 minutes 18 seconds West 109.80 feet; thence North 22 degrees 51 minutes 45 seconds East 10.02 feet; thence South 70 degrees 28 minutes 18 seconds East 110.89 feet to the centerline of said Delta Boulevard; thence South 29 degrees 00 minutes 50 seconds West 10.14 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING and containing 1,103 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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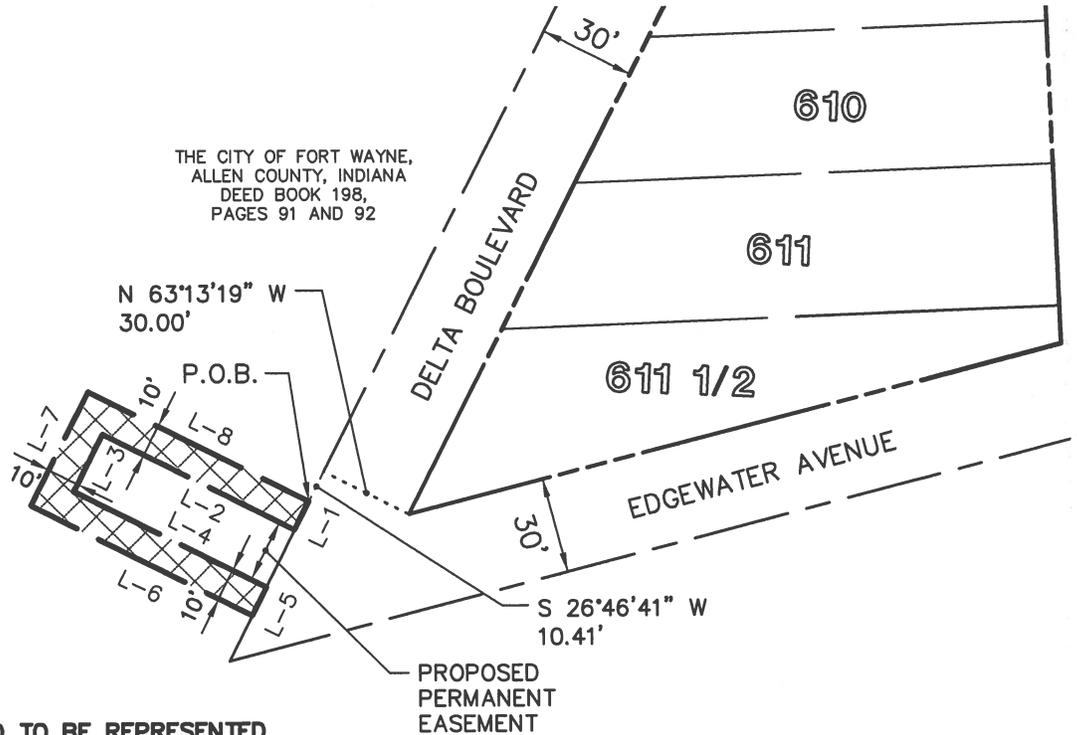
4275 N. HIGH SCHOOL RD. INDIANAPOLIS, INDIANA 46254
TEL. (317) 293-3542 FAX: (317) 293-4737

TEMPORARY CONSTRUCTION EASEMENTS



0 30' 60'
SCALE: 1" = 60'

THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA
DEED BOOK 198,
PAGES 91 AND 92



NOTE:
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A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.



TEMPORARY EASEMENT AREA
(1,740 SQ. FT.)

LEGEND

	RIGHT-OF-WAY LINE
	ROAD CENTER LINE
	PROPOSED ESMT. LINE
	LOT LINE

LINE TABLE		
LINE ID	BEARING	DISTANCE
L-1	S 26°46'41" W	10.00'
L-2	N 63°13'19" W	67.02'
L-3	S 26°46'41" W	20.00'
L-4	S 63°13'19" E	67.02'
L-5	S 26°46'41" W	10.00'
L-6	N 63°13'19" W	77.02'
L-7	N 26°46'41" E	40.00'
L-8	S 63°13'19" E	77.02'

TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: 1" = 60'
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
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TEMPORARY CONSTRUCTION EASEMENTS

A part of Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana, and being that part of the grantor's land described in Deed Book 198, Pages 91 and 92, in the Office of the Recorder of said County and State, more particularly described as follows:

Commencing at the southwest corner of Lot 611 1/2 in Plat B Lakeside Park Addition Amended, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 4, Page 34, in the Office of the Recorder of Allen County, Indiana; thence North 63 degrees 13 minutes 19 seconds West 30.00 feet to the centerline of Delta Boulevard in said addition, which centerline is coincident with the centerline of Delta Boulevard in Lakeside Park Addition, an addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Plat Book 1, Page 54, in the Office of the Recorder of Allen County, Indiana; thence South 26 degrees 46 minutes 41 seconds West 10.41 feet along the centerline of said Delta Boulevard to the POINT OF BEGINNING of this description: thence continuing South 26 degrees 46 minutes 41 seconds West 10.00 feet along said centerline; thence North 63 degrees 13 minutes 19 seconds West 67.02 feet; thence South 26 degrees 46 minutes 41 seconds West 20.00 feet; thence South 63 degrees 13 minutes 19 seconds East 67.02 feet to the centerline of said Delta Boulevard; thence South 26 degrees 46 minutes 41 seconds West 10.00 feet along said centerline; thence North 63 degrees 13 minutes 19 seconds West 77.02 feet; thence North 26 degrees 46 minutes 41 seconds East 40.00 feet; thence South 63 degrees 13 minutes 19 seconds East 77.02 feet to the POINT OF BEGINNING and containing 1,740 square feet, more or less.

Basis of bearings is the East Zone of the Indiana State Plane Coordinate System, NAD83(2011).



VS ENGINEERING, INC.
CHARLES A. PEONI, P.S.
PROFESSIONAL SURVEYOR No. 29400002
STATE OF INDIANA



TEMPORARY CONSTRUCTION EASEMENT PART OF LAKESIDE PARK ADDITION TO THE CITY OF FORT WAYNE WAYNE TOWNSHIP, ALLEN COUNTY, INDIANA	Scale: N/A
	VS Proj. No.: 15-3350
THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA DEED BOOK 198, PAGES 91 AND 92 - PLAT BOOK 1, PAGE 54 STATE PARCEL No. 02-07-36-483-001.000-074	Drawn By: CAP
	Checked By: MRH
	Date: 09/28/2016

THIS EXHIBIT WAS PREPARED BY:



VS ENGINEERING, INC.

4275 N. HIGH SCHOOL RD. INDIANAPOLIS, INDIANA 46254
TEL. (317) 293-3542 FAX: (317) 293-4737

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE DIVISION OF PUBLIC WORKS AND
THE PARKS AND RECREATION DEPARTMENT
CITY OF FORT WAYNE, INDIANA**

This Memorandum of Understanding (MOU) is made and entered into this _____ day of _____, 2016, by and between the Division of Public Works and the Board of Park Commissioners for the Pufferbelly Trail: State Boulevard to Fernhill Avenue to Franke Park.

WHEREAS, the Division of Public Works will be constructing the 1.6 mile Pufferbelly Trail on the former New York Central Railroad corridor from north of State Boulevard to Fernhill Avenue with a trail spur to Franke Park in 2017-2018; and,

WHEREAS, the 10-foot wide trail spur from the railroad corridor to Franke Park will run along the south side of Franke Park Drive through property owned by the Board of Park Commissioners; and,

WHEREAS, the Division of Public Works will provide the funding for the engineering, construction and construction management with federal funds, Legacy Funds, CEDIT, donor funds and possibly Regional Cities funding.

NOW THEREFORE, the Division of Public Works and the Board of Park Commissioners for the City of Fort Wayne do hereby resolve the following agreements and understandings with respect to the Pufferbelly Trail: State to Fernhill to Franke Park:

Division of Public Works Obligations:

- Public Works will construct the trail along with the Indiana Department of Transportation.
- Public Works will manage the construction engineering contract with A&Z Engineering.
- Public Works will maintain any trail-related signage along the trail on Parks and Recreation Department property.

Parks and Recreation Department Obligations:

- Parks and Recreation Department will allow the Pufferbelly Trail on its property.
- Parks and Recreation Department will provide maintenance of the trail on its property.
- Parks and Recreation Department will allow the former Diehm Museum parking lot to serve as a trailhead.

In Witness Whereof, the parties to this Memorandum of Understanding have hereunto set their hands.

Board of Public Works

Board of Park Commissioners

Robert P. Kennedy, Chair

Richard P. Samek, President

Kumar Menon, Member

Pamela Kelly, Vice-President

Mike Avila, Member

William Zielke, Commissioner

Date: _____

Justin P. Shurley, Commissioner

ATTEST:

Date: _____

Lyndsey Richards, Clerk

Approved as to legal form:

By: _____

Date: _____