

To: President and Members of the Munster Town Council and
President and Members of the Munster Redevelopment Commission

From: Patricia Abbott
Controller/Interim Town Manager

Date: October 21, 2024

Re: Approval NIPSCO Easement

Council approved the Phase 1A Kenmara Development Agreement at the July 17, 2023, meeting. The agreement includes Kenmara building an access road to the development site. Under the Development Agreement and separate Memorandum of Understanding between Kenmara and NIPSCO, Kenmara will be allowed to construct the road on what is now land owned by NIPSCO. Once all the benchmarks are met, NIPSCO will deed the land to Munster, and the Town will take responsibility for the road. Separate easements will be granted to Kenmara by NIPSCO for this work to be completed.

Council and Redevelopment Commission both approved the form of the warranty deed at the May 9, 2024, meetings. Since that time, NIPSCO has taken care to ensure they have properly identified the area that they need for their substation. Under the terms of the Phase 1A Agreement, the Town has a duty to approve the easement.

NIPSCO has requested that the Town approve the easement first. NIPSCO will approve it second and record it with Lake County.

Recommendation:

By motion and voice vote, approve the NIPSCO warranty deed as presented.