

**FILED**

JAN 22 1983

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Pol # 384983 ch. stat.

5-0005000-00

Inland Steel Company  
30 W Monroe St.  
Chicago, Ill. 60603  
Attn: Mr. Yalowitz

*R. J. Miller*  
CLERK, JASPER SUPERIOR COURT  
COUNTY OF JASPER )

) SS.

IN THE JASPER SUPERIOR COURT  
CAUSE NO. CP-82-366

STATE OF INDIANA, )  
)  
Plaintiff, )  
v. )  
)  
THE PENN CENTRAL CORPORATION, )  
INLAND STEEL CORPORATION, )  
AUDITOR OF LAKE COUNTY and )  
TREASURER OF LAKE COUNTY, )  
)  
Defendants. )

**DULY ENTERED  
FOR TAXATION**

**FEB 16 1983**

*Linley E. Pearson*  
AUDITOR LAKE COUNTY

CHICAGO TITLE INSURANCE COMPANY  
INDIANA DIVISION

AGREED FINDING AND JUDGMENT

The Plaintiff, State of Indiana, by and through Linley E. Pearson, Attorney General, and David A. Nowak, Deputy Attorney General; the Defendant, The Penn Central Corporation, by its Attorney of Record herein, Michael L. McCluggage; and the Defendant, Inland Steel Corporation, by its Attorney of Record herein, Warren Yalowitz, having come before the Court on their motion for entry of the following order, the Court, having been duly advised, finds as follows:

1. That the Plaintiff, State of Indiana, filed its Complaint for the appropriation of the fee simple title estate of the Defendant, The Penn Central Corporation, December 14, 1981, which Complaint is in words and figures as follows:

STATE OF INDIANA  
LAKE COUNTY  
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WILLIAM SZULSKI JR  
RECORDED

(H.I.)

2. That the Defendant, The Penn Central Corporation, was properly served with notice as provided by statute prior to the hearing in this cause and that the Defendant, The Penn Central Corporation, filed objections to the Complaint for appropriation of the fee simple title of its real estate.

3. That the Defendant, The Penn Central Corporation, hereby agrees that the objections to the Complaint for the appropriation of the fee simple title of The Penn Central Corporation's real estate should be withdrawn; therefore, the Plaintiff is entitled to appropriate said fee simple title of The Penn Central Corporation's real estate as described below.

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*JC 1/6/83*

4. That this Court granted Plaintiff's Motion for Leave to Amend Complaint by adding Inland Steel Corporation as a Defendant to this cause, and the Defendant, Inland Steel Corporation, hereby submits to the jurisdiction of this Court.

5. That the total value of the fee simple title of The Penn Central Corporation's real estate is Thirteen Thousand Eight Hundred and Twenty Dollars (\$13,820.00) which sum includes any interest to which the Defendants may be entitled, and that the Defendant, The Penn Central Corporation, should recover from the Plaintiff, State of Indiana, total damages in the sum of Thirteen Thousand Eight Hundred and Twenty Dollars (\$13,820.00).

6. That the total value of the property rights taken from the Defendant, Inland Steel Corporation, is Zero Dollars (\$0.00) and the Defendant, Inland Steel Corporation, should recover from the Plaintiff, State of Indiana, total damages in the sum of Zero Dollars (\$0.00).

7. That the Defendants, Auditor of Lake County and Treasurer of Lake County, were properly served with notice as required by statute but have failed to enter an appearance herein or otherwise respond to Plaintiff's Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the fee simple title of the real estate of the Defendant, The Penn Central Corporation, be, and is appropriated, said fee simple title being more particularly described as follows:

A PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 9 WEST, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH CORNER OF BLOCK 73 IN INDIANA HARBOR IN THE CITY OF EAST CHICAGO, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 5, PAGE 9, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 46 DEGREES 24 MINUTES 48 SECONDS WEST 1,254.39 FEET ALONG THE NORTHWESTERN LINE OF SAID BLOCK 73 AND ALONG A LINE THAT IS PARALLEL TO AND 2,245.00 FEET SOUTHEASTERLY OF THE CENTER LINE OF THE RIGHT OF WAY DEEDED TO THE UNITED STATES OF AMERICA JULY 5, 1888, AND RECORDED IN BOOK 44, PAGE 472-275, TO THE SOUTHWESTERN BOUNDARY OF DICKEY ROAD; THENCE NORTH 33 DEGREES 18 MINUTES 42 SECONDS WEST 50.81 FEET ALONG THE BOUNDARY OF SAID DICKEY ROAD TO THE NORTHWESTERN BOUNDARY OF DOCK STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE SOUTH 46 DEGREES 24 MINUTES 48 SECONDS WEST 63.50 FEET ALONG THE BOUNDARY OF SAID DOCK STREET TO THE SOUTHWESTERN LINE OF THE OWNER'S LAND; THENCE NORTH 43 DEGREES 35 MINUTES 12 SECONDS WEST 25.00 FEET ALONG SAID SOUTHWESTERN LINE TO THE WEST CORNER OF THE OWNER'S LAND; THENCE NORTH 46

DEGREES 24 MINUTES 48 SECONDS EAST 68.01 FEET ALONG A LINE THAT IS PARALLEL TO AND 2,170.00 FEET SOUTHEASTERLY OF SAID CENTER LINE TO THE SOUTHWESTERN BOUNDARY OF DICKEY ROAD; THENCE SOUTH 33 DEGREES 18 MINUTES 42 SECONDS EAST 25.41 FEET ALONG THE BOUNDARY OF SAID DICKEY ROAD TO THE POINT OF BEGINNING AND CONTAINING 0.036 ACRES, MORE OR LESS.

A PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 9 WEST, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH CORNER OF BLOCK 73 IN INDIANA HARBOR IN THE CITY OF EAST CHICAGO, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 5, PAGE 9, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 46 DEGREES 24 MINUTES 48 SECONDS WEST 1,254.39 FEET ALONG THE NORTHWESTERN LINE OF SAID BLOCK 73 AND ALONG A LINE THAT IS PARALLEL TO AND 2,245.00 FEET SOUTHEASTERLY OF THE CENTER LINE OF THE RIGHT OF WAY DEEDED TO THE UNITED STATES OF AMERICA JULY 5, 1888, AND RECORDED IN BOOK 44, PAGE 472-275, TO THE SOUTHWESTERN BOUNDARY OF DICKEY ROAD; THENCE NORTH 33 DEGREES 18 MINUTES 42 SECONDS WEST 50.81 FEET ALONG THE BOUNDARY OF SAID DICKEY ROAD TO THE NORTHWESTERN BOUNDARY OF DOCK STREET; THENCE SOUTH 46 DEGREES 24 MINUTES 48 SECONDS WEST 113.50 FEET ALONG THE BOUNDARY OF SAID DOCK STREET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 46 DEGREES 24 MINUTES 48 SECONDS WEST 1,491.35 FEET ALONG SAID BOUNDARY; THENCE SOUTH 82 DEGREES 03 MINUTES 11 SECONDS WEST 42.90 FEET TO A LINE THAT IS PARALLEL TO AND 2,170.00 FEET SOUTHEASTERLY OF SAID CENTER LINE; THENCE NORTH 46 DEGREES 24 MINUTES 48 SECONDS EAST 1,526.23 FEET ALONG SAID PARALLEL LINE TO THE NORTH CORNER OF THE OWNER'S LAND; THENCE SOUTH 43 DEGREES 35 MINUTES 12 SECONDS EAST 25.00 FEET ALONG THE NORTHEASTERN LINE OF THE OWNER'S LAND TO THE POINT OF BEGINNING AND CONTAINING 0.866 ACRES, MORE OR LESS.

A PART OF THE NORTHEAST QUARTER, A PART OF THE SOUTHEAST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 9 WEST, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH CORNER OF BLOCK 73 IN INDIANA HARBOR IN THE CITY OF EAST CHICAGO, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 5, PAGE 9, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 46 DEGREES 24 MINUTES 48 SECONDS WEST 1,254.39 FEET ALONG THE NORTHWESTERN LINE OF SAID BLOCK 73 AND ALONG A LINE THAT IS PARALLEL TO AND 2,245.00 FEET SOUTHEASTERLY OF THE CENTER LINE OF THE RIGHT OF WAY DEEDED TO THE UNITED STATES OF AMERICA JULY 5, 1888, AND RECORDED IN BOOK 44, PAGE 472-275, TO THE SOUTHWESTERN BOUNDARY OF DICKEY ROAD; THENCE NORTH 33 DEGREES 18 MINUTES 42 SECONDS WEST 50.81 FEET ALONG THE BOUNDARY OF SAID DICKEY ROAD TO THE NORTHWESTERN BOUNDARY OF DOCK STREET; THENCE SOUTH 46 DEGREES 24 MINUTES 48 SECONDS WEST 1,004.86 FEET ALONG THE BOUNDARY OF SAID DOCK STREET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 46 DEGREES 24 MINUTES 48 SECONDS WEST 1,709.54 FEET ALONG SAID BOUNDARY TO THE NORTHEASTERN BOUNDARY OF CANAL STREET; THENCE NORTH 46 DEGREES 24 MINUTES 27 SECONDS WEST 25.01 FEET ALONG THE BOUNDARY OF SAID CANAL STREET TO A LINE THAT IS PARALLEL TO AND 2,170.00 FEET SOUTHEASTERLY OF SAID CENTER LINE; THENCE NORTH 46 DEGREES 24 MINUTES 48 SECONDS EAST 1,755.46 FEET ALONG SAID PARALLEL LINE; THENCE NORTH 82 DEGREES 03 MINUTES 11 SECONDS EAST 42.90 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.017 ACRES, MORE OR LESS.

Reserving however to The Penn Central Corporation certain easements for railroad right-of-way purposes, more particularly described as follows:

A part of the Northeast Quarter of Section 21, Township 37 North, Range 9 West, Lake County, Indiana, described as follows: Commencing at the north corner of Block 73 in Indiana Harbor in the City of East Chicago, Indiana, the plat of which is recorded in Plat Book 5, page 9, in the Office of the Recorder of Lake County, Indiana; thence South 46 degrees 24 minutes 48 seconds West 1,254.39 feet along the northwestern line of said Block 73 and along a line that is parallel to and 2,245.00 feet southeasterly of the center line of the right of way deeded to the United States of America, July 5, 1888, and recorded in Book 44, page 472-275, to the southwestern boundary of Dickey Road; thence North 33 degrees 18 minutes 42 seconds West 50.81 feet along the boundary of said Dickey Road to the northwestern boundary of Dock Street and the point of beginning of this description; thence South 46 degrees 24 minutes 48 seconds West 36.36 feet along the boundary of said Dock Street; thence South 71 degrees 59 minutes 28 seconds West 30.09 feet; thence North 43 degrees 35 minutes 12 seconds West 12.01 feet to a line that is parallel to and 2,170.00 feet southeasterly of said center line; thence North 46 degrees 24 minutes 48 seconds East 44.40 feet along said line; thence North 71 degrees 59 minutes 28 seconds East 4.05 feet; thence North 70 degrees 08 minutes 13 seconds East 19.90 feet to the southwestern boundary of Dickey Road; thence South 33 degrees 18 minutes 42 seconds East 15.49 feet along the boundary of said Dickey Road to the point of beginning and containing 0.031 acres, more or less.

Also, reserving to The Penn Central Corporation an easement, 30 feet in width, at a location which is midway between what is commonly known as Dickey Place and Canal Street, said location being at the point where The Penn Central Corporation had laid a side track for railroad purposes.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, Inland Steel Corporation, shall retain fee simple title to certain property, being more particularly described as follows, and being subject to an easement for highway purposes, and to an additional easement reserved to The Penn Central Corporation for railroad purposes, as more particularly set out hereunder:

ALL THAT PARCEL of land occupying the Northeast quarter of the Northeast quarter of Section 21 and extending into the Northwest quarter of the Northwest quarter of Section 22, Township 37 North, Range 9 West, of the Second Principal Meridian, in the City of East Chicago, Lake County, Indiana, more particularly described as follows:

COMMENCING AT POINT "G" which is a "T" Rail Monument at the intersection of the Southwesterly right-of-way line of Aldis Avenue extended and the Northwesterly right-of-way line of Michigan Avenue, now vacated, in the Original Town of Indiana Harbor, as shown in Plat Book 5, page 9, in the Recorder's Office of Lake County, Indiana; thence South 43 degrees 15 minutes 00 seconds West, 669.48 feet to a Point "A-2" which is the intersection of the Northwesterly line of vacated Michigan Avenue and the Southwesterly line of Lot "E" of Railroad First Addition to Indiana Harbor; thence North 46 degrees 43 minutes 30 seconds West on said Southwesterly line of Lot "E" a distance of 1139.50 feet to a point; thence South 46 degrees 55 minutes 20 seconds West 1321.93 feet to a point of beginning, said point being the intersection of the Northwesterly right-of-way line of Conrail Railroad's Danville Branch (formerly known as New York Central Railroad) and the Southwesterly right-of-way line of Conrail Railroad (formerly known as Pittsburgh, Ft. Wayne and Chicago Railroad); (1) thence South 46 degrees 55 minutes 20 seconds West, 1199.721 feet along the Northwesterly right-of-way line of said Conrail Railroad's Danville Branch to the Northeasterly right-of-way line of Dickey Road; (2) thence North 32 degrees 48 minutes 10 seconds West, 76.221 feet along the Northeasterly right-of-way line of Dickey Road to the Southermost corner of Parcel "AC"-"AD"; (3) thence North 46 degrees 55 minutes 20 seconds East, 1181.505 feet to the Eastermost corner of Parcel "AC"-"AD"; (4) thence South 46 degrees 36 minutes 10 seconds East, 75.142 feet to the point of beginning. CONTAINING 2.050 acres, more or less.

However, Inland Steel Corporation's use of the above-described property shall be subject to the following restrictions. Inland Steel Corporation's use of the above-described real estate shall be beneath the established gradeline of the existing highway facility, that being S.R.912, and the height of no vehicle shall extend to within three (3) feet of the underside of the elevated structure carrying said highway facility nor shall any vehicle be driven or parked within three (3) feet of any structural support of said highway facility.

Further, no flammable, explosive, hazardous, chemical, vaporous, or odorous material shall be stored on said real estate, either on or off any vehicle. Appropriate safety precautions and features necessary to minimize the possibility of injury to said highway facility and its users shall be provided by Inland Steel Corporation, including plans for the evacuation of the Real Estate in case of a major accident on the highway facility endangering the use of said real estate. If, as a result of Inland Steel Corporation's use of said real estate, said highway facility is damaged, Inland Steel Corporation agrees to save harmless and reimburse the State in order to effect the repair or compensate any other disability. If, as a result of Inland Steel Corporation's use and occupation of said real estate, any third party is injured, killed or damaged or third parties' property is in any manner damaged, Inland Steel Corporation agrees to save harmless and reimburse the State for any liability which may be imposed upon the State by any third party. The design and construction, by Inland Steel Corporation, of parking facilities on said real estate, including any appurtenances such as lighting, pier protection devices, etc., shall be subject to the prior approval of the State. Said real estate shall be maintained by Inland Steel Corporation in good condition, both as to safety and appearance, which responsibility shall run with the land. Inland Steel Corporation's rights in said real estate shall be subordinate to the rights of the Plaintiff, State of Indiana, insofar as the use of said area is required for the construction of said highway facility and for maintenance inspection and reconstruction when necessary.

The railroad easement to which the said fee simple title of Defendant, Inland Steel Corporation, shall be subject is described as follows:

A part of the Northeast Quarter of Section 21, Township 37 North, Range 9 West, Lake County, Indiana, described as follows: **Beginning on the northwestern line of Block 73 in Indiana Harbor in the City of East Chicago, Indiana, the plat of which is recorded in Plat Book 5, page 9, in the Office of the Recorder of Lake County, Indiana, South 46 degrees 24 minutes 48 seconds West 1,092.87 feet from the north corner of said Block 73; thence continuing South 46 degrees 24 minutes 48 seconds West 77.98 feet along the northwestern line of said Block 73 and along a line that is parallel to and 2,245.00 feet southeasterly of the center line of the right of way deeded to the United States of America, July 5, 1888, and recorded in**

Book 44, page 472-275; thence South 70 degrees 09 minutes 06 seconds West 22.83 feet to the northeastern boundary of Dickey Road; thence North 33 degrees 18 minutes 42 seconds West 31.02 feet along the boundary of said Dickey Road; thence North 73 degrees 14 minutes 58 seconds East 23.75 feet; thence North 65 degrees 51 minutes 11 seconds East 18.03 feet; thence North 69 degrees 02 minutes 28 seconds East 59.75 feet to the point of beginning and containing 0.042 acres, more or less.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, The Penn Central Corporation, have and recover from the State of Indiana as final and total damages the sum of Thirteen Thousand Eight Hundred and Twenty Dollars (\$13,820.00), which sum includes any interest to which the Defendant may be entitled, and that the Clerk of the Court pay said amount to the Defendant, The Penn Central Corporation.

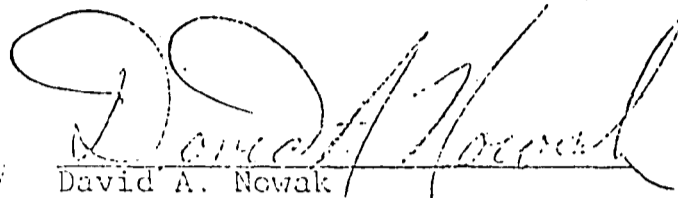
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff, State of Indiana, pay to the Clerk of the Court the sum of Thirteen Thousand Eight Hundred and Twenty Dollars (\$13,820.00), which amount equals the amount of this judgment.

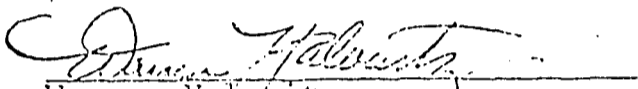
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Defendant, Inland Steel Corporation, have and recover from the State of Indiana, as final and total damages the sum of Zero Dollars (\$0.00).

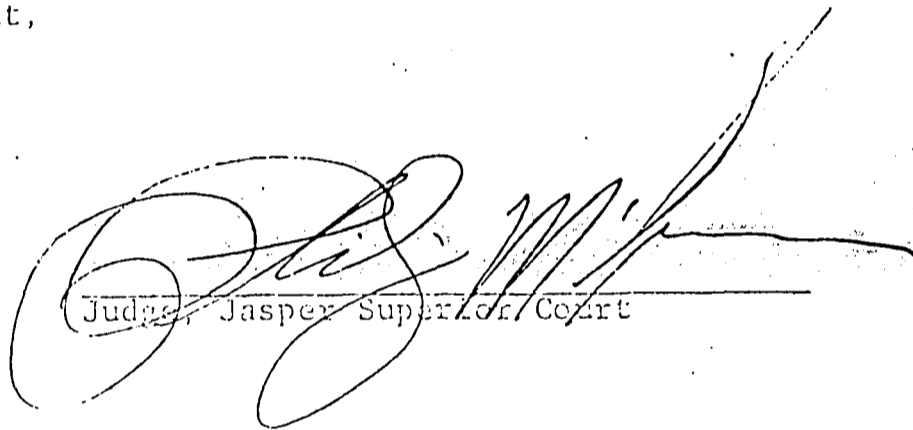
IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Defendants, Auditor of Lake County and Treasurer of Lake County, are defaulted and shall take nothing in this cause of action.

APPROVED:

  
Michael L. McCluggage  
Attorney for the Defendant,  
Penn Central Corporation

  
David A. Nowak  
Deputy Attorney General

  
Warren Yalowitz  
Attorney for the Defendant,  
Inland Steel Corporation

  
Judge Jasper Superior Court

Date: January 22, 1983

**FILED**

JAN 22 1983

*Ralph Miller*  
CLERK, JASPER SUPERIOR COURT



STATE OF INDIANA, JASPER COUNTY, SS:

I, Ralph Mathew, Clerk of JASPER SUPERIOR ~~Circuit~~ Court within and for said County and State, do hereby certify that the above and foregoing is a true and correct, full and complete copy of the "AGREED FINDING AND JUDGMENT" filed on the 22nd day of January, 1983, on the case of State of Indiana, plt. vs. The Penn Central Corporation, Inland Steel Corporation, Auditor of Lake County and Treasurer of Lake County, defts., Cause No. CP-82-366, in Plenary Docket Book 1, page 366;

as the same appears by the original and the record thereof now on file in my office and in my custody.

WITNESS, my hand and the Seal of said Court, at Rensselaer

this 14th day of February

A. D. 19 83.

Ralph Mathew

CLERK OF THE Jasper Superior ~~Jasper~~ COURT

BY: Donna S. Mathew deputy

