763327

Galvin, Galvin & Leeney 5231 Hohman Ave, Hamd Acct #5-4114

LEASE CANCELLATION AGREEMENT

WHEREAS, Richard Nagler, as Lessor, and Lake George
Mental Health Clinic, Inc., as Lessee entered a Lease Agreement
on December 2, 1982 for premises situated in the City of
Hobart, Lake County, Indiana described as follows:

Lots 3 to 6, both inclusive, Block 3,
Sunset Park Subdivision, in the City
of Hobart, as shown in Plat Book 20,
page 3, in Lake County, Indiana; and recorded
February 8, 1983 as document #696407
WHEREAS, title to the said real estate at the time of the
execution of the Lease was held in the name of Nagler's B-K
Drive-In, Inc.;

WHEREAS, on the 9th of March, 1983 Richard A. Nagler personally and as President of Nagler's B-K Drive-In, Inc. executed a Deed-in-Trust conveying said real estate subject to said Lease to Mercantile National Bank of Indiana as Trustee under Trust Agreement dated October 31, 1973 and known on the records of the Trustee as Trust #3147;

WHEREAS, on March 10, 1983 said Mercantile National Sank of Indiana as Trustee under Trust #3147 did convey said real estate to Mercantile National Bank of Indiana a national banking association;

WHEREAS, said Richard Nagler has conveyed all equipment, furniture and fixtures owned by him on said real estate to Mercantile National Bank of Indiana in partial payment of debts due to said bank;

WHEREAS, David Goetzke and B & K Corporation have purported to sell certain items of personal property (equipment, furniture and fixtures) located on said real estate to Jerry Souris pursuant to a Bill of Sale dated August 29, 1983 and

WHEREAS, certain disputes have developed between David Goetzke, B & K Corporation and Lake George Mental Health Clinic, Inc. and Mercantile National Bank as to the validity of the above described Lease dated December 2, 1982 and the option to purchase the real estate therein included.

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WHEREAS, Jerry Souris is concerned that he obtain clear title to the aforesaid personal property located on the above described real estate in exchange for the \$10,000.00 he has paid to date to David Goetzke and the \$5,000.00 he is prepared to pay upon delivery of a Bill of Sale.

NOW, THEREFORE, IT IS AGREED:

- 1. That the above described Lease between Richard Nagler and Lake George Mental Health Clinic, Inc. dated December 2, 1982 covering the above described real estate is hereby cancelled effective immediately including the option to purchase therein contained.
- 2. That no additional rent shall be due under the terms of said Lease from the Lessee to the Lessor except for the balance of any rent due from Jerry Souris as tenant for the period from January 1, 1984 to June 30, 1984, which rent shall be paid to the undersigned Mercantile National Bank of Indiana.
- 3. That Mercantile National Bank of Indiana will make no claim against David Goetzke and B & K Corporation for the sum of Ten Thousand (\$10,000.00) Dollars paid by Jerry Souris for the sale of personal property located on said real estate.
- 4. That David Goetzke hereby waives any claim that he may have against Jerry Souris for the payment of \$5,000.00 as the balance due on the purchase price of the aforesaid personal property and directs Jerry Souris to pay said sum to Mercantile National Bank of Indiana in exchange for a Bill of Sale.
- 5. That Jerry Souris shall pay the sum of Five Thousand (\$5,000.00) Dollars to Mercantile National Bank of Indiana, in exchange for a Bill of Sale, and he will acquire clear title to all personal property (equipment, furniture and

fixtures) on said real estate free of any claims by the undersigned.

FINALLY all of the undersigned parties waive all claims that they may have against each other arising out of the above described Lease and sale of personal property except for those rights established by this Cancellation Agreement.

IN WITNESS WHEREOF this Agreement has been executed by the parties this 30% day of June, 1984.

MERCANTILE NATIONAL BANK OF INDIANA	LAKE GEORGE MENTAL HEALTH
BY: Edward F. HALLORAN	BY: DAVID GOETZKE
SENIOR VICE PRESIDENT	B & K CORPORATION
DAVID GOETZKE	Al C XA
Alari Elauris	DAVID GOETZKE
JERRY SOURIS	
STATE OF INDIANA)	
COUNTY OF LAKE)	
Before Me, a Notary Public in and personally appeared Edward F. Halloran Mercantile National Bank of Indiana who the foregoing Lease Cancellation Agreement and Corporation and by its authority.	, Senior Vice President of o acknowledged execution of ment for and on behalf of
Witness my hand and notarial seal	this 30th day of June, 1984. garet lovak Novak Notary Public
T. //	
My Commission Expires: 8-4-85 Resid	dence of <u>Lake</u> County
STATE OF INDIANA)) SS:	
COUNTY OF LAKE)	
Before Me, a Notary Public in and personally appeared David Goetzke who at the foregoing Lease Cancellation Agreements	acknowledged execution of

Witness my hand and notarial seal this $\frac{30}{}$ day of June, 1984.

Commission Expires: Dec. 19,1981 Residence of Lalse County

Patricia HARRIGAN Notary Public

STATE OF INDIANA)	
COUNTY OF LAKE)) SS:)	
personally appeared	otary Public in and for sa Jerry Souris who acknowle Cancellation Agreement fo	edged execution of
Witness my hand	d and seal this The da	ay of June, 1984.
	Stephen M. Brenm	M. Brisman
My Commission Expire	es: 9/11/87 Residence	e of <u>Xake</u> County
STATE OF INDIANA)) SS:	
COUNTY OF LAKE)	
personally appeared the foregoing Lease	otary Public in and for sa David Goetzke who acknow! Cancellation Agreement fo Health Clinic, Inc. on bel	ledged execution of or and on behalf of
Witness my hand	d and seal this 30	day of June, 1984.
		Vanzen Notary Public
My Commission Expire	es: <u>Ac. 19,1987</u> Residence	of Lake County
STATE OF INDIANA)) SS:)	
Before Me, a No personally appeared	otary Public in and for sa David Goetzke who acknow	aid County and State ledged execution of

foregoing Lease Cancellation Agreement for and on behalf of K Corporation on behalf of said corporation and by its authority

Witness my hand and seal this 30 day of June, 1984.

Patricia Harrigan Notary Public

My Commission Expires: Dec. 19, 1987 Residence of Lose