

And the defendant, City of Gary and Gary Municipal Airport Authority District having appeared by Douglas M. Grimes, Gary Hobart Water Corporation having appeared by Jackie L. Shropshire and Northern Indiana Public Service Company having appeared by William H. Eichhorn, and filing no objections to the appropriation by plaintiff of the rights to the real estate described in said complaint and all other defendants failing to appear or otherwise respond, the Court NOW FINDS:

1. That the Court has jurisdiction of the subject matter of this action and of the parties.
2. That no objections were filed by the defendants to the appropriation of the said real estate.
3. That the State of Indiana is entitled to condemn and appropriate the following described real estate:

A part of the Southeast Quarter of Section 35, Township 37 North, Range 9 West, Lake County, Indiana, described as follows: Beginning on the west line of said Quarter Section North 0 degrees 00 minutes 18 seconds East 487.34 feet from the southwest corner of said Quarter Section, said point of beginning being the southwest corner of the Owner's land and also being on the north boundary of the Grand Calumet River; thence continuing North 0 degrees 00 minutes 18 seconds East 2,122.43 feet along said west line which is the west line of the Owner's Land; thence Southeasterly 831.70 feet along an arc to the right and having a radius of 856.20 feet and subtended by a long chord having a bearing of South 28 degrees 02 minutes 15 seconds East and a length of 799.38 feet; thence South 15 degrees 53 minutes 50 seconds East 453.26 feet; thence South 0 degrees 00 minutes 18 seconds West 1,185.22 feet to the south line of the Owner's land which is the north boundary of the Grand Calumet River; thence along said south line and said north boundary Northwesterly 460.22 feet along an arc to the right and having a radius of 1,735.00 feet and subtended by a long chord having a bearing of North 68 degrees 55 minutes 27 seconds West and a length of 458.87 feet, thence North 61 degrees 19 minutes 30 seconds West 81.85 feet continuing along said south line and said north boundary to the point of beginning and containing 21.248 acres, more or less.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as Indiana East-West Toll Road and as Project ITR-10-80(01)), to and from the Owner's remaining lands where they abut the above-described real estate. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

That in order to complete the aforementioned project, Plaintiff will make temporary use of the following real estate of Defendants:

A part of the Northwest Quarter, a part of the Northeast Quarter and a part of the Southeast Quarter of Section 35, Township 37 North, Range 9 West, Lake County, Indiana, described as follows: Beginning at the center of said Section 35; thence North 89 degrees 07 minutes 05 seconds West 23.40 feet along a south line of the Owner's land to a west line of the Owner's land; thence North 0 degrees 00 minutes 07 seconds East 186.05 feet along said west line; thence South 89 degrees 59 minutes 53 seconds East 99.89 feet; thence South 11 degrees 30 minutes 27 seconds East 156.24 feet; thence Southeasterly 619.99 feet along an arc to the right and having a radius of 956.20 feet and subtended by a long chord having a bearing of South 33 degrees 28 minutes 10 seconds East and a length of 609.19 feet; thence South 14 degrees 53 minutes 40 seconds East 475.31 feet; thence Southeasterly 263.92 feet along an arc to the right and having a radius of 1014.93 feet and subtended by a long chord having a bearing of South 7 degrees 26 minutes 41 seconds East and a length of 263.18 feet; thence South 0 degrees 00 minutes 18 seconds West 638.65 feet; thence Southeasterly 165.82 feet along an arc to the left and having a radius of 140.10 feet and subtended by a long chord having a bearing of South 33 degrees 54 minutes 08 seconds East and a length of 156.31 feet; thence South 67 degrees 48 minutes 32 seconds East 1.96 feet; thence South 22 degrees 11 minutes 28 seconds West 100.00 feet; thence North 89 degrees 59 minutes 43 seconds West 151.25 feet; thence North 0 degrees 00 minutes 18 seconds East 903.42 feet; thence North 15 degrees 53 minutes 50 seconds West 453.26 feet; thence Northwesterly 831.70 feet along an arc to the left and having a radius of 856.20 feet and subtended by a long chord having a bearing of North 28 degrees 02 minutes 15 seconds West and a length of 799.38 feet to a west line of the Owner's land; thence North 0 degrees 00 minutes 18 seconds East 11.94 feet along said west line to the point of beginning and containing 6.026 acres, more or less.

which property, although not sought to be taken or appropriated, will nevertheless be temporarily damaged by said appropriation.

4. That three appraisers should be appointed to view said real estate and assess the damages, if any, to which defendants may be entitled.

IT IS THEREFORE ORDERED AND ADJUDGED, that the real estate as above described should be and is hereby condemned for uses and purposes as described in the complaint and John Gadd, 6676 Howard St. Niles, Illinois 60648 Robert C. Bommer, 6320 Rucker Road, Ste. D, Indianapolis, IN 46220 and Eston G. Hupp 500 W. Lincoln Highway Merrillville, IN 46410,

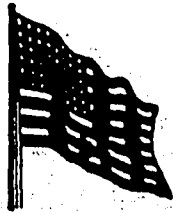
three disinterested appraisers are hereby appointed to assess the damages which said defendants herein respectively may sustain by reason of the project described in said complaint, and said appraisers are now ordered and directed to meet at this Court on the 27th day of April, 1983, at 8:45 A.M. O'Clock, to be sworn and receive their instructions and said appraisers are hereby further ordered to file their report with the Clerk of this Court as to the amount of damages resulting to defendants by reason of the aforesaid appropriation as by law provided on the 15th day of June, 1983.

IT IS FURTHER ORDERED, that the Clerk shall issue to said appraisers a signed copy of this Order, which shall be their warrant and upon which they shall proceed to assess said damages and benefits, if any, and to report to said Clerk as aforesaid.

ALL OF WHICH IS ORDERED this 11 day of April, 1983.

Carroll P. Roberts
JUDGE, LAKE SUPERIOR COURT
ROOM NUMBER ONE

The United States of America



STATE OF INDIANA, COUNTY OF LAKE, ss:

I, the undersigned, Clerk of the Lake _____ CIRCUIT _____ Court of Lake County, and the keeper of the records and files thereof, in the State aforesaid, do hereby certify that the above and foregoing is a full, true, complete and correct copy of the Order of Court in Cause No. 183-125 entitled STATE OF INDIANA VS CITY OF GARY, A Municipal Corporation; UNITED STATES AIRCRAFT FINANCING, INC., An Indiana Corporation; MIDWEST AIRCRAFT SALES CORPORATION, An Illinois Corporation, in its own behalf and a successor to Chicago-Midway Travel, Inc.; GARY NATIONAL BANK, OF GARY INDIANA; ALLIED PRODUCTS CORPORATION; A Delaware Corporation; WALTER M. WATTLES; GARY-HOBART WATER CORPORATION, An Indiana Corporation; NORTHERN INDIANA PUBLIC SERVICE COMPANY, A Indiana Corporation; F.T.I. AVIATION, INC., An Illinois for Profit Corporation; and BANK OF INDIANA, NATIONAL ASSOCIATION and entered in order book 139 page 237, as fully as the same appears of record in my Office as such Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at my office in _____ CROWN POINT, IN _____ in the said County, this 27th day of AUGUST, A. D., 19 86

Kenneth Ray Peterson
Clerk Lake _____ CIRCUIT _____ Court.

By *Dolly J. Shuck*
Deputy