

892158

SUBORDINATION AGREEMENT

WHEREAS, U. S. Reduction Co., a Delaware corporation, is the owner of certain premises situated in the County of Lake, State of Indiana, more particularly described in the attached Exhibit "A";

AND WHEREAS, Congress Financial Corporation (Central), an Illinois corporation, is the holder of an Open-End First Mortgage on said premises dated May 19, 1986 and recorded May 23, 1986 as Document No. 855483 in the Office of the Recorder of Lake County, Indiana;

AND WHEREAS, Noranda Aluminium, Inc., a Delaware corporation, is the holder of an Open-End Mortgage and Security Agreement on said premises dated May 19, 1986 and recorded May 23, 1986 as Document No. 855482 in the Office of the Recorder of Lake County, Indiana;

AND WHEREAS, it was and is the intent of said parties recited above that the Open-End First Mortgage to Congress Financial Corporation (Central) should be recorded as a first mortgage and that the Open-End Mortgage and Security Agreement to Noranda Aluminium, Inc. should be recorded as a second mortgage, and subordinate to said first mortgage;

AND WHEREAS, said Open-End Mortgage and Security Agreement to Noranda Aluminium, Inc. was inadvertently and incorrectly recorded before the Open-End First Mortgage to Congress Financial Corporation (Central);

NOW THEREFORE, in consideration of One Daollar and other good and valuable consideration, the receipt of which is hereby acknowledged, and in order to avoid the inconvenience of releasing, renewing and re-recording said Open-End First Mortgage and said Open End Mortgage and Security Agreement in their proper order, Noranda Aluminium, Inc. does hereby consent, declare, covenant and agree that any interest in or lien upon said premises which Noranda Aluminium, Inc. might have or claim by virtue of its Open-End Mortgage and Security Agreement dated May 19, 1986 and recorded May 23, 1986 as Document Np. 855482 shall be in all respects subject and subordinate to the Open-End First Mortgage of Congress Financial Corporation (Central) dated May 19, 1986 and recorded May 23, 1986 as Document No. 855483.

IN WITNESS WHEREOF, Noranda Aluminium, Inc. has caused this Agreement to be duly executed as of the 13 day of November, 1986.

NORANDA ALUMINIUM, INC.

By: [Signature]

DEC 13 1986  
RECORDED  
11 11 AM '86  
CLAY

Carol Cate 700/10187

Title Insurance of Minnesota  
19 S La Salle St  
Chgo, IL 60602  
Attn: Bill Robinson

SEAL



ES.01

STATE OF OHIO )  
 ) SS:  
COUNTY OF CUYAHOGA)

Before me, a Notary Public in and for said County and State, personally appeared R. T. Rowe and John Onder personally known to me to be the Director Corp. Planning and Vice President Finney respectively, of the within named Noranda Aluminium, Inc., a Delaware corporation, who acknowledged that they signed, sealed and delivered the above and foregoing instrument in writing on the day and for the purposes therein mentioned, for and on behalf of said Corporation and as its own act and deed.

WITNESS my signature and Notarial Seal this 13<sup>th</sup> day of November, 1986.

Joan R. Adams  
, Notary Public

My commission expires:

**JOAN R. ADAMS**

Notary Public, STATE OF OHIO

My Commission Expires 11, 1991

Recorded in Lake County



This instrument was prepared by:

W. L. Robinson, Jr., Esq.  
19 S. LaSalle St.  
Suite 702  
Chicago, Illinois 60603  
312/263-4085

Legal Description

PLANT NO. 1

PARCEL 1: LOTS 1 TO 14, BOTH INCLUSIVE, TOGETHER WITH THE VACATED NORTH AND SOUTH ALLEY ADJOINING AND LYING BETWEEN LOTS 1 TO 7, BOTH INCLUSIVE, AND LOTS 8 TO 14, BOTH INCLUSIVE, AND ALSO THE EAST HALF OF THAT PART OF VACATED MELVILLE AVENUE, LYING WEST OF AND ADJOINING LOTS 8 TO 14, BOTH INCLUSIVE, AS MARKED AND LAID DOWN ON THE RECORDED PLAT OF SUBDIVISION OF LOTS 13, BLOCK 8, IN THE SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 9, WEST OF THE 2ND PRINCIPAL MERIDIAN, IN THE CITY OF EAST CHICAGO, LAKE COUNTY, INDIANA, AS SHOWN IN PLAT BOOK 6, PAGE 37, IN LAKE COUNTY, INDIANA.

PARCEL 2: PLAT OF U.S. REDUCTION COMPANY'S BLOCK "A", BEING A CONSOLIDATION OF LOTS 1 TO 13, BOTH INCLUSIVE, AND THE HERETOFORE VACATED 16 FOOT EAST AND WEST ALLEY, IN BLOCK 7, SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 9, WEST OF THE 2ND PRINCIPAL MERIDIAN, ALSO LOTS 1 TO 16, BOTH INCLUSIVE, AND LOT 18, TOGETHER WITH THE 16 FOOT EAST AND WEST ALLEY HERETOFORE VACATED IN BLOCK 6, SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 9, WEST OF THE 2ND PRINCIPAL MERIDIAN, ALSO THE PART OF ALEXANDER AVENUE HERETOFORE VACATED, EXTENDING FROM THE NORTH LINE OF CHICAGO AVENUE TO THE SOUTH RIGHT OF WAY LINE OF THE B & O. C. T. RAILROAD AND LYING BETWEEN SAID BLOCKS 6 AND 7, ALL IN THE CITY OF EAST CHICAGO, LAKE COUNTY, INDIANA, AS SHOWN IN PLAT BOOK 23, PAGE 64, IN LAKE COUNTY, INDIANA, ALSO THE WEST HALF OF THAT PART OF VACATED MELVILLE AVENUE LYING EAST OF AND ADJOINING THE NORTH 183.5 FEET OF SAID PLAT OF U.S. REDUCTION COMPANY'S BLOCK "A", EXCEPT THE SOUTH 44 FEET OF THE WEST 225 FEET OF THE EAST 300 FEET THEREOF.

PARCEL 3: LOTS 3 TO 12, BOTH INCLUSIVE, BLOCK 8, SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 9 WEST OF THE 2ND PRINCIPAL MERIDIAN, IN THE CITY OF EAST CHICAGO, AS SHOWN IN PLAT BOOK 2, PAGE 25, IN LAKE COUNTY, INDIANA, AND ALSO THE VACATED EAST AND WEST ALLEY LYING NORTH OF SAID LOTS 3 TO 12, INCLUSIVE.

PLANT NO. 2

PARCEL 1: PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 9, WEST OF THE SECOND PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 30 FEET EAST AND 900.80 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH, ALONG THE EAST LINE OF KENNEDY AVENUE, A DISTANCE OF 846.2 FEET, THENCE EAST, AT RIGHT ANGLES TO THE LAST DESCRIBED LINE A DISTANCE OF 404.35 FEET TO A POINT ON A LINE 15 FEET WEST OF AND PARALLEL TO THE WEST RIGHT OF WAY LINE OF THE E.J. & E. RAILROAD; THENCE NORTH 0 DEGREES 05 MINUTES 30 SECONDS WEST, ALONG SAID 15 FOOT PARALLEL LINE, A DISTANCE OF 848.69 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 45 SECONDS WEST, 403.0 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF EAST CHICAGO, LAKE COUNTY, INDIANA.

**PARCEL 2: RIGHT AND EASEMENT, APPURTENANT TO PARCEL 1 ABOVE IN, ON AND ALONG THE EXISTING SWITCHTRACK PRESENTLY IN PLACE ON PREMISES ADJOINING PARCEL 1 ABOVE ON THE SOUTH, WHICH EASEMENT FOR RAILROAD SPUR AND SWITCHTRACK IS DESCRIBED AS FOLLOWS:**

A PARCEL OF LAND 17.0 FEET IN WIDTH LYING 8.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 9, WEST OF THE SECOND PRINCIPAL MERIDIAN (CENTERLINE OF 145TH STREET) AND THE CENTERLINE OF THE NEW YORK CENTRAL RAILROAD (DANVILLE BRANCH) MAIN TRACK; THENCE NORTH 0 DEGREES 05 MINUTES 30 SECONDS WEST, ALONG THE CENTERLINE OF SAID TRACT, 199.0 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ON A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 410.28 FEET, A DISTANCE OF 83.90 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID N.Y.C.R.R. (DANVILLE BRANCH), WHICH POINT MARKS THE PLACE OF BEGINNING OF SAID EASEMENT CENTERLINE; THENCE CONTINUING NORTHWESTERLY ON THE LAST DESCRIBED CURVE EXTENDED A DISTANCE OF 34.38 FEET; THENCE NORTH 73 DEGREES 23 MINUTES 54 SECONDS EAST A DISTANCE OF 74.23 FEET TO A POINT OF CURVE; THENCE NORTHERLY ON A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 338.27 FEET, A DISTANCE OF 97.52 FEET; THENCE NORTH 0 DEGREES 05 MINUTES 30 SECONDS WEST ALONG A LINE PARALLEL TO AND 52.0 FEET WEST OF THE AFORESAID N.Y.C.R.R. MAIN TRACT, A DISTANCE OF 428.90 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT CENTERLINE, ALL IN THE CITY OF EAST CHICAGO, LAKE COUNTY, INDIANA, AS SHOWN ON EXHIBIT "A" PLAT OF EASEMENT ATTACHED TO EASEMENT AGREEMENT DATED JULY 19, 1974 RECORDED JULY 26, 1974, AS DOCUMENT NO. 261336, MADE BY AND BETWEEN GARY NATIONAL BANK OF GARY, INDIANA, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED THE 15TH DAY OF FEBRUARY, 1973, KNOWN AS TRUST NO. 5249 AND M. E. CODE.

**PARCEL 3: NON-EXCLUSIVE RIGHT AND EASEMENT, APPURTENANT TO PARCEL 1 ABOVE, IN, ON AND ALONG PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 9, WEST OF THE SECOND PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 30 FEET EAST OF AND 900.8 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 38 MINUTES 45 SECONDS EAST, A DISTANCE OF 325.0 FEET, THENCE NORTH, PARALLEL WITH THE EAST LINE OF KENNEDY AVENUE, A DISTANCE OF 16.0 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 45 SECONDS WEST A DISTANCE OF 325.0 FEET; THENCE SOUTH ALONG THE EAST LINE OF KENNEDY AVENUE, 16.0 FEET TO THE PLACE OF BEGINNING, ALL IN EAST CHICAGO, INDIANA, IN LAKE COUNTY, INDIANA, FOR THE PURPOSE OF INGRESS AND EGRESS TO PARCEL 1 ABOVE, AS GRANTED IN EASEMENT AGREEMENT DATED JUNE 9, 1975 AND RECORDED AUGUST 4, 1975 AS DOCUMENT NO. 310755, MADE BY AND BETWEEN 4441 BLDG. CORP., AN INDIANA CORPORATION, AND U.S. REDUCTION CO., A DELAWARE CORPORATION.**