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STATE OF INDIANA )  
                          ) SS:  
COUNTY OF LAKE   )

*6*

LAKE CIRCUIT COURT  
SITTING AT  
CROWN POINT, IN

THE LAKE COUNTY PARKS AND )  
RECREATION BOARD,          )  
Plaintiffs,                  )

VS.                              )

CAUSE NO. C79-5206

*Filed in Open Court*

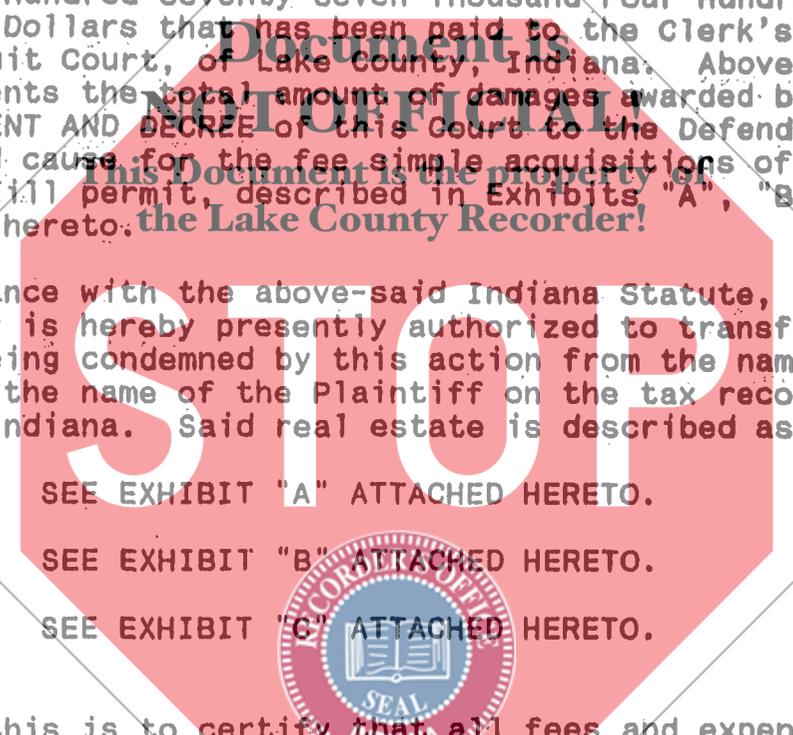
THE B & O RAILROAD COMPANY, )  
ET AL.,                          )  
Defendants.                      )

APR 23 1990

*Robert C. Antigh*  
CLERK LAKE CIRCUIT COURT

CERTIFICATE OF PAYMENT TO THE CLERK

Pursuant to Indiana Code 32-11-1-7, Indiana Acts (1905) Chapter 48, 7, as amended, this is to certify that on the 15th day of December, 1989 Three Hundred Thousand (\$300,000.00) Dollars was paid to the Clerk's Office of the Lake Circuit Court, and on the 23 day of April, 1990, Two Hundred Seventy-Seven Thousand Four Hundred (\$277,400.00) Dollars was paid to the Clerk's office of the Lake Circuit Court, for a total of Five Hundred Seventy-Seven Thousand Four Hundred (\$577,400.00) Dollars that has been paid to the Clerk's Office of the Lake Circuit Court, of Lake County, Indiana. Above-said amount represents the total amount of damages awarded by an ORDER, JUDGEMENT AND DECREE of this Court to the Defendants in the above-said cause for the fee simple acquisitions of the property and full permit, described in Exhibits "A", "B", and "C", attached hereto.



In accordance with the above-said Indiana Statute, the Lake County Auditor is hereby presently authorized to transfer the real estate being condemned by this action from the name of the Defendants to the name of the Plaintiff on the tax records of Lake County, Indiana. Said real estate is described as follows:

- PARCEL 1: SEE EXHIBIT "A" ATTACHED HERETO.
- PARCEL 2: SEE EXHIBIT "B" ATTACHED HERETO.
- PARCEL 3: SEE EXHIBIT "C" ATTACHED HERETO.

Further, this is to certify that all fees and expenses incurred in this matter, including appraiser's fees, have been paid in full and in addition to the above-said amount.

Executed in Crown Point, Indiana, this 23 day of April, 1990.

STATE OF INDIANA/S.S. NO.  
LAKE COUNTY  
FILED FOR RECORD  
APR 23 3 15 PM '90  
ROBERT RECH  
ROBERT C. ANTIGH, CLERK  
LAKE CIRCUIT COURT

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10.00 *ck*

EXHIBIT "A"

PARCEL 1: PART OF GOVERNMENT LOTS 2 AND 3, IN THE EAST HALF (E-1/2) OF THE WEST HALF (W-1/2) AND THE WEST HALF (W-1/2) OF THE EAST HALF (E-1/2) OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF U.S. GOVERNMENT LOT 2 AND THE NORTH LINE OF THE 100-FOOT RIGHT-OF-WAY OF THE CHICAGO, LAKE SHORE RAILWAY (NOW ELGIN, JOLIET AND EASTERN RAILROAD) AS LOCATED IN SAID LOTS 2 AND 3; THENCE NORTH ON SAID WEST LINE OF LOT 2 A DISTANCE OF 173.20 FEET; THENCE NORTH 41 DEGREES 09 MINUTES 00 SECONDS (41°09'00") EAST, 92 FEET, MORE OR LESS, TO THE WATERS' EDGE OF LAKE MICHIGAN; THENCE SOUTHEASTERLY ALONG SAID WATERS' EDGE TO THE EAST LINE OF GOVERNMENT LOT 3 (THE EAST LINE OF THE WEST HALF (W-1/2) OF THE SOUTHEAST QUARTER (SE-1/4) OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN); THENCE SOUTHERLY ALONG THE EAST LINE OF THE WEST HALF (W-1/2) OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 6 A DISTANCE OF 252 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF THE ELGIN, JOLIET AND EASTERN RAILROAD; THENCE NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID RAILROAD 3,222.07 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, LAKE COUNTY, INDIANA; CONTAINING 12.02 ACRES OF LAND AS OF MARCH 22, 1979.



EXHIBIT "B"

PARCEL 2: A PARCEL OF LAND BEING 43.5 FEET WIDE LYING ADJACENT TO AND NORTHEAST OF THE ELGIN, JOLIET AND EASTERN RAILWAY PROPERTY IN THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 37 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SECTION 6; THENCE NORTH 0°48'47" WEST ALONG THE EAST SECTION LINE 89 FEET MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY BEING THE POINT OF BEGINNING; THENCE NORTH 53°42'30" WEST ALONG SAID NORTHERLY LINE 1634 FEET MORE OR LESS TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4, SECTION 6; THENCE NORTH 0°42'59" WEST ALONG SAID WEST LINE 54.57 FEET; THENCE SOUTH 53°42'30" EAST PARALLEL WITH AND 43.5 FEET FROM THE NORTHERN LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY 1634 FEET MORE OR LESS TO THE EAST SECTION LINE; THENCE SOUTH 0°48'47" EAST ALONG SAID EAST LINE 54.54 FEET TO THE POINT OF BEGINNING. CONTAINING 1.63 ACRES AND SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS.



STATE OF INDIANA

OFFICE OF THE GOVERNOR

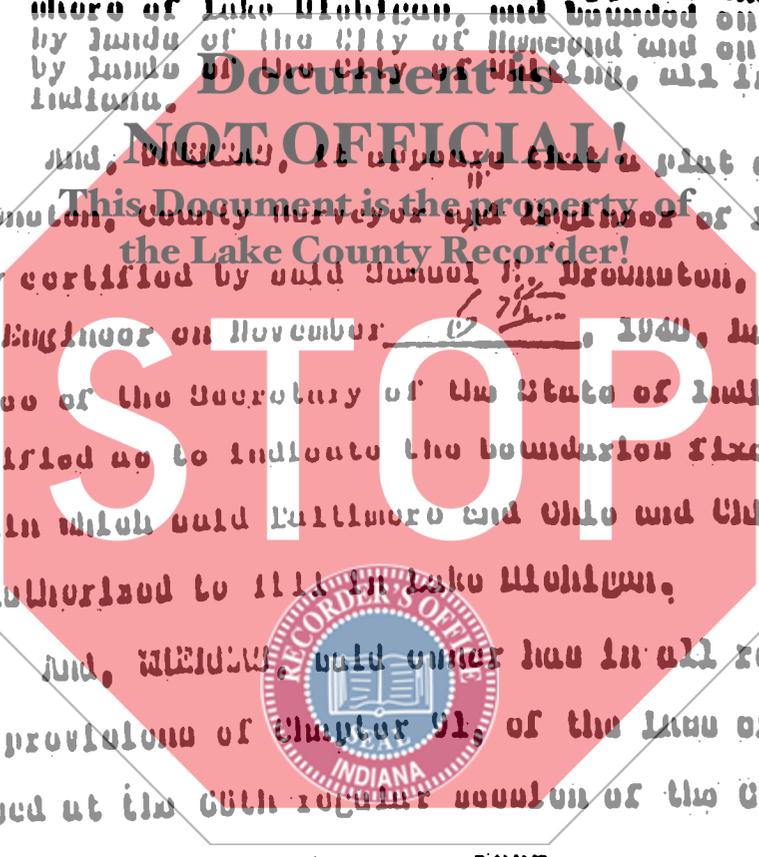
WHEREAS, it appears that the BALTIMORE AND OHIO AND CHICAGO RAILROAD COMPANY is the owner of the following described land, to-wit:

All that part of Lots Two (2) and Three (3), in Section 31c (6), Township Thirty-seven (37) North, Range Nine (9) West of the Second Principal Meridian, lying between the northerly right of way line of the High, Joliet and Eastern Railway, formerly Chicago, Lake Shore and Eastern Railway, and the southerly shore of Lake Michigan, and bounded on the northwest by lands of the City of Hammond and on the southeast by lands of the City of Chicago, all in Lake County, Indiana.

And, WHEREAS, it appears that a plat of survey of Samuel S. Brownston, County Surveyor and Engineer of Lake County, Indiana, duly certified by said Samuel S. Brownston, as such County Surveyor and Engineer on November 12, 1940, has been filed in the Office of the Secretary of the State of Indiana, which map is so certified as to indicate the boundaries fixed by the United States within which said Baltimore and Ohio and Chicago Railroad Company is authorized to fill in Lake Michigan,

And, WHEREAS, said owner has in all respects complied with the provisions of Chapter 91, of the laws of the State of Indiana, passed at the 66th regular session of the General Assembly, begun on the 10th day of January, 1907,

NOW, THEREFORE, I, HARRY F. GATES, Governor of the State of Indiana, by virtue of the authority imposed upon me and by the terms of said Act, DO HEREBY GRANT to Baltimore and Ohio and Chicago Railroad Company the privilege and authority to fill in and improve the submerged land lying between the shore of said above described tract of land and the said dock or harbor line; said space and out



merged land being more accurately described as follows, to-wit:

All that certain land in the bed of Lake Michigan situated in Sections 5 and 6, Township 37 North, Range 9 West and Section 31 Township 38 North, Range 9 West of the Second Principal Meridian in the Cities of Hammond and Whiting, County of Lake, State of Indiana, as shown on "Plat of Survey of the shore line of that part of Lake Michigan, northwesterly of Lots 2 and 3 of Section 6 - 37 - 9 of the Second Principal Meridian and to a line where the water does not exceed 25 feet in depth", prepared by C. K. Wallace, County Surveyor and Engineer, dated April 6, 1929, and revised according to available official data on hand by Samuel R. Hromatan, County Surveyor and Engineer on November 5th, 1940, bounded and described as follows, to-wit:

Beginning at the point of intersection of the westerly line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 6, Township 37 North, Range 9 West with the westerly shore line of Lake Michigan as indicated on Plat of Survey prepared by C. K. Wallace as aforesaid, said westerly line also being the westerly line of Lot 2 of said Section 6, in Lake Avenue, said point of intersection being 500.00 feet, measured northwardly along the westerly line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 6 from the intersection thereof with the westerly line of Lot 1 of said Section 6, said point being also 170.00 feet, measured northwardly along the westerly line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 6 from the intersection thereof with the westerly line of property acquired by Baltimore and Ohio and Chicago Railroad Company from Mary A. and Amy J. Roberts, Administrators, by deed dated January 9, 1901, and recorded in Record 90, page 300 of the Land Records of Lake County, Indiana;

Thence, N 11° 09' E, 3100.00 feet to a point;

Thence, S 40° 12' E, 3270.00 feet to a point;

Thence, S 41° 00' W, 3200.00 feet to the point of intersection of the westerly line of Lot 3 of said Section 6, Township 37 North, Range 9 West, in Sheridan Avenue, with the southwestly shore line of Lake Michigan as indicated on Plat of Survey prepared by C. K. Wallace as aforesaid, which point is N 66° 43' W, 140.02 feet, measured along said westerly line of Lot 3 from the intersection thereof with the westerly line of property acquired by Baltimore and Ohio and Chicago Railroad Company from Chicago, Lake Shore and Eastern Railway Company by indenture dated July 8, 1919, and recorded in Record 200, page 333 of the Land Records of Lake County, Indiana, being a re-execution of the deed between the same parties, dated October 24, 1902 and referred to in the release from John Villock Brown and James Bond, Trustees, dated January 12, 1903, and from New York Trust Company, Trustee, by indenture dated April 12, 1917 and recorded in Record 103, page 404 of said Land Records;

Thence, along said southwestly shore line of Lake Michigan to the point of beginning, containing 236 acres, more or less,

Being the land in the bed of Lake Michigan adjoining all those riparian rights as acquired by Baltimore and Ohio

and Chicago Railroad Company from Mary A. and May J. Roberts, Applicants, by deed dated January 9, 1901 as aforesaid and Oliver O. Forsyth, et al, by deed dated January 9, 1901, and recorded in Record 90, page 309 of the said Records of Lake County, Indiana;

for greater certainty reference is hereby made to said plat of survey on file with the Secretary of State, for the State of Indiana, certified by Samuel R. Bromston, County Surveyor, of Lake County, Indiana, on November 6<sup>th</sup>, 1940, to be a correct map, showing and defining the above described property and dock or harbor line, which survey is made a part of each of the above descriptions.

PROVIDED, also, that when any portion of said space shall be filled in by said Baltimore and Ohio and Chicago Railroad Company, then said Baltimore and Ohio and Chicago Railroad Company shall be entitled to a deed from the State of Indiana, for the portion so filled.

**Document is NOT OFFICIAL!**  
This Document is the property of the Lake County Recorder!  
I, Ralph F. Gates, do hereby set my hand as Governor of the State of Indiana, and caused the Great Seal of the State to be affixed hereto this 29 day of November, A.D. 1940.

**STOP**

*Ralph F. Gates*  
Governor of the State of Indiana

ATTEST:

*Y. P. ...*  
Secretary of State

