

**FILED**

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APPENDIX 8

JUL 31 1982

DEED RESTRICTION

*David H. Antone*  
AUDITOR LAKE COUNTY

V & E Corporation, an Indiana Corporation, owner in fee simple of the real estate described below, hereby imposes restrictions on the described real estate ("V & E Property"), which is part of the Midco I Facility, Township 36, Lake County, State of Indiana.

Key # 40-99-40

The West 85.00 feet of the North 200.00 feet of the South 733.00 feet of the West half of the Southeast Quarter of the Northwest Quarter of Section 11, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana.

Containing .39 acres more or less.

and  
the Lake County Recorder!

Key # 40-99-39

The West 85.00 feet of the North 200.00 feet of the South 533.00 feet of the West half of the Southeast Quarter of the Northwest Quarter of Section 11, Township 36 North, Range 9 West of the Second Principal Meridian in the City of Gary, Lake County, Indiana.

Containing .39 acres more or less.

The following restrictions are imposed on the V & E Property, its present and any future owners, their authorized agents, assigns, employees or persons acting under their direction or control, for the purpose of protecting public health and the environment and preventing interference with remedial action work and maintenance work approved by the United States Environmental Protection Agency ("USEPA") and/or the United States District Court for the Northern District of Indiana at the Midco I Facility located at or about 15th Avenue, Gary, Indiana ("Midco I Facility").



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1. Until the final approval by USEPA of the completion of all remedial action work and achievement of all cleanup and performance standards at the Midco I Facility, there shall be no consumptive or other use of the groundwater underlying the V & E Property that could cause exposure of humans or animals to the groundwater underlying the V & E Property or the Midco I Facility;

2. Until the final approval by USEPA of the completion of all remedial action work and achievement of all cleanup and performance standards at the Midco I Facility, there shall be no residential, commercial, or agricultural use of the V & E Property, including but not limited to the construction, installation or use of any structures or buildings for residential, commercial, or agricultural purposes;

3. Until the final approval by USEPA of the completion of all remedial action work and achievement of all cleanup and performance standards at the Midco I Facility, there shall be no use of the V & E Property that would allow the continued presence of humans at the V & E Property, other than presence necessary for implementation of remedial action work or maintenance work approved by USEPA and/or the United States District Court for the Northern District Court of Indiana. Prohibited uses which would allow the continued presence of humans at the V & E Property will include but not necessarily be limited to recreational and educational uses.

4. Until the final approval by USEPA of the completion of all remedial action work and achievement of all cleanup and performance standards at the Midco I Facility, there shall be no installation, removal, construction or use of any buildings, wells,

pipes, roads, ditches or any other structures at the V & E Property except as approved by USEPA.

5. There shall be no tampering with, or removal of, any containment or monitoring systems or remedial action work on the V & E Property.

6. There shall be no interference with the performance of work and remedial action, or with the maintenance of remedial measures approved by USEPA and/or the United States District Court for the Northern District of Indiana.

7. After the final approval by USEPA of the completion of all remedial action work and achievement of all cleanup and performance standards at the Midco I facility, all uses of the V & E Property shall be consistent with the final remedial action implemented at the Midco I Facility.

All of the above restrictions shall run with the land and continue in perpetuity.

IT WITNESS WHEREOF, V & E Corporation has caused these Deed Restrictions to be executed this 20th day of July, 1992.



V & E CORPORATION,  
an Indiana Corporation

*Victor A. Kirsch*  
By: Victor A. Kirsch

ATTEST:

*Eva Kirsch*  
\_\_\_\_\_  
Eva Kirsch, Secretary

STATE OF INDIANA, COUNTY OF LAKE ) SS:

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Victor A. Kirsch, personally known to me to be the President of V & E Corporation,

and Eva Kirsch, personally known to me to be the Secretary of said corporation, and personally known to be to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary, they signed and delivered the said instrument as President and Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 20th day of July, 1992.

My Commission Expires:

April 13, 1996

*William J. O'Connor*

William J. O'Connor, Notary Public  
Resident of Lake County

Document is

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the Lake County Recorder!

**STOP**



This instrument prepared by:



William J. O'Connor, Attorney at Law  
2646 Highway Ave., Highland, IN 46322