

92053802

ASSIGNMENT OF CLAIMS

RETURN TO:
FIRST AMERICAN TITLE INS. CO.
6285 COMMERCE DR. SUITE 1
CROWN POINT, IN 46307

This Assignment of Claims is made this 7th day of May, 1992 by Trump Iron Works, Inc., a Corporation, as assignor ("Assignor") to and for the benefit of Sakura Bank Ltd. (f/k/a/ The Mitsui Taiyo Kobe Bank, Ltd.) ("MTKB"), as assignee.

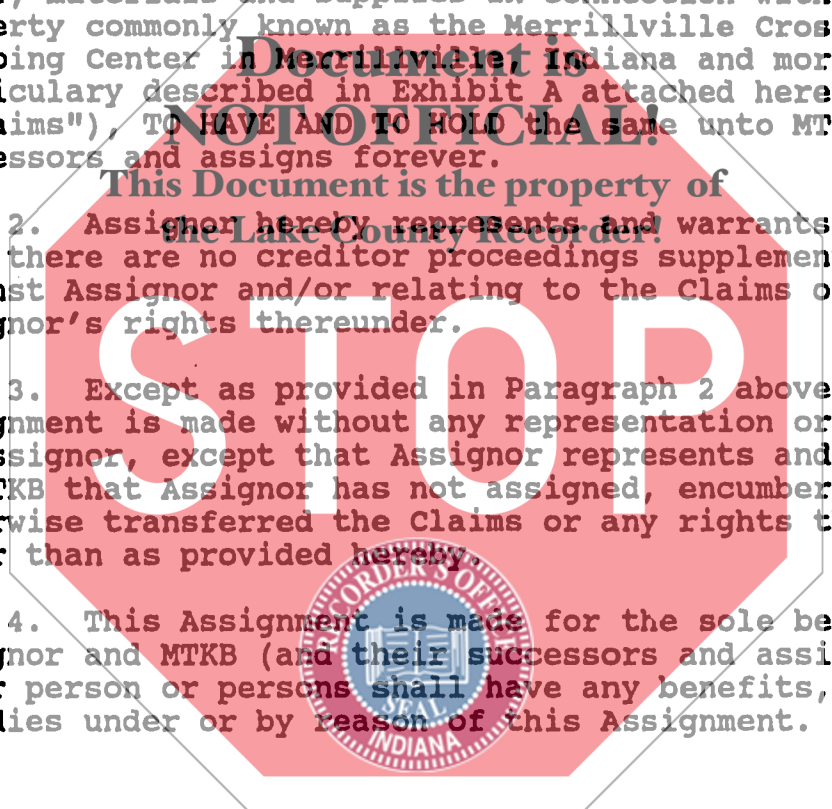
NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby agrees as follows:

1. Assignor hereby assigns unto MTKB all of Assignor's right, title and interest under any and all construction contracts and/or other contracts for the performance of construction work and/or the supplying of labor, materials and supplies in connection with the property commonly known as the Merrillville Crossing Shopping Center in Merrillville, Indiana and more particularly described in Exhibit A attached hereto ("Claims"), TO HAVE AND TO HOLD the same unto MTKB, its successors and assigns forever.

2. Assignor hereby represents and warrants to MTKB that there are no creditor proceedings supplemental pending against Assignor and/or relating to the Claims or any of Assignor's rights thereunder.

3. Except as provided in Paragraph 2 above, this Assignment is made without any representation or warranty by Assignor, except that Assignor represents and warrants to MTKB that Assignor has not assigned, encumbered or otherwise transferred the Claims or any rights thereunder other than as provided hereby.

4. This Assignment is made for the sole benefit of Assignor and MTKB (and their successors and assigns) and no other person or persons shall have any benefits, rights or remedies under or by reason of this Assignment.




STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
Aug 24 2 55 PM '92
ROBERT J. HANCOCK
RECORDER

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IN WITNESS WHEREOF, Assignor has duly executed this Assignment as of the day and year first written above.

ASSIGNOR:

TRUMP IRON WORKS, INC., a Corporation

By: 
(signature)

Richard S. Trump, Secretary
(printed name and title)



Exhibit A

LEGAL DESCRIPTION

PARCEL 1:

PART OF THE NORTH 1/2, SECTION 23, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE 2ND F.M., IN LAKE COUNTY, INDIANA, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23, THENCE SOUTH $02^{\circ} 42' 00''$ EAST ALONG THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 842.20 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHESAPEAKE AND OHIO RAILROAD, THENCE SOUTH $42^{\circ} 42' 00''$ EAST ALONG SAID SOUTH LINE 1615.41 FEET, THENCE SOUTH $27^{\circ} 18' 00''$ WEST, 748.24 FEET, THENCE SOUTH $88^{\circ} 25' 00''$ WEST, 134.54 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL THENCE CONTINUING SOUTH $88^{\circ} 25' 00''$ WEST, 326.65 FEET, THENCE SOUTH $01^{\circ} 35' 00''$ EAST 193.54 FEET TO THE NORTHERLY LINE OF U.S. HIGHWAY #30, THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID HIGHWAY, 309.65 FEET, THENCE NORTH $01^{\circ} 25' 00''$ WEST, 19.04 FEET, THENCE NORTH $88^{\circ} 25' 00''$ EAST, 17.0 FEET, THENCE NORTH $01^{\circ} 35' 00''$ WEST, 150 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART CONVEYED TO THE STATE OF INDIANA BY WARRANTY DEED RECORDED SEPTEMBER 19, 1978 AS DOCUMENT NO. 491229 DESCRIBED AS FOLLOWS: A PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 6 WEST, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION, THENCE SOUTH 0 DEGREES 01 MINUTES 00 SECONDS WEST 2,287.90 FEET ALONG THE WEST LINE OF SAID SECTION TO THE SOUTHWEST CORNER OF THE OWNER'S LAND, THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS EAST 350.00 FEET TO THE CORNER OF THE OWNER'S LAND, THENCE SOUTH 0 DEGREES 01 MINUTE 00 SECONDS WEST 196.90 FEET ALONG THE WEST LINE OF THE OWNER'S LAND TO THE NORTH BOUNDARY OF U.S.R. 30, THENCE ALONG THE BOUNDARY OF SAID U.S.R. 30 EASTERLY 463.51 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 53,814.79 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 89 DEGREES 02 MINUTES 50 SECONDS EAST AND A LENGTH OF 463.51 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. THENCE NORTH 1 DEGREE 11 MINUTES 58 SECONDS EAST 10.00 FEET, THENCE SOUTH 88 DEGREES 46 MINUTES 26 SECONDS EAST 50.01 FEET, THENCE SOUTH 1 DEGREE 15 MINUTES 10 SECONDS WEST 10.00 FEET TO THE NORTH BOUNDARY OF U.S.R. 30, THENCE ALONG THE BOUNDARY OF SAID U.S.R. 30 WESTERLY 50.00 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 53,814.79 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 88 DEGREES 46 MINUTES 26 SECONDS WEST AND A LENGTH OF 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL 111

PART OF THE NORTH 1/2 SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN LAKE COUNTY, INDIANA, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23, THENCE SOUTH 02° 42' 00" EAST ALONG THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 842.20 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CHESAPEAKE AND OHIO RAILROAD, THENCE SOUTH 62° 42' 00" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY 1845.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, THENCE SOUTH 27° 18' 00" WEST 274.38 FEET; THENCE SOUTH 62° 42' 00" EAST, 4.0 FEET; THENCE SOUTH 27° 18' 00" WEST, 80.0 FEET; THENCE SOUTH 62° 42' 00" EAST, 26.41 FEET; THENCE SOUTH 27° 18' 00" WEST 275.0 FEET; THENCE NORTH 62° 42' 00" WEST, 260.0 FEET; THENCE SOUTH 27° 18' 00" WEST, 319.51 FEET MORE OR LESS TO THE NORTHERLY LINE OF U.S. HIGHWAY #30; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 53,817.23 FEET A DISTANCE OF 87.87 FEET TO THE POINT OF CURVE; THENCE NORTH 88° 37' 48" EAST ALONG THE NORTHERLY LINE OF SAID HIGHWAY A DISTANCE OF 1931.83 FEET TO THE SOUTHERLY LINE OF THE CHESAPEAKE AND OHIO RAILROAD; THENCE NORTH 62° 42' 00" WEST, 1542.08 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PART CONVEYED TO THE STATE OF INDIANA BY WARRANTY DEED RECORDED SEPTEMBER 19, 1978 AS DOCUMENT NO. 491229 DESCRIBED AS FOLLOWS:

PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE SOUTH 0 DEGREES 01 MINUTE 00 SECONDS WEST 2,287.90 FEET ALONG THE WEST LINE OF SAID SECTION; THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS EAST 350.00 FEET; THENCE SOUTH 0 DEGREES 01 MINUTE 00 SECONDS WEST 196.90 FEET TO THE NORTH BOUNDARY OF U.S.R. 30; THENCE ALONG THE BOUNDARY OF SAID U.S.R. 30 EASTERLY 651.76 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 53,814.79 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 88 DEGREES 56 MINUTES 49 SECONDS EAST AND A LENGTH OF 651.76 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 00 SECONDS EAST 688.03 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 1 DEGREE 24 MINUTES 00 SECONDS EAST 10.00 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 00 SECONDS EAST 40.00 FEET; THENCE SOUTH 1 DEGREE 24 MINUTES 00 SECONDS WEST 10.00 FEET TO THE NORTH BOUNDARY OF U.S.R. 30; THENCE NORTH 88 DEGREES 36 MINUTES 00 SECONDS WEST 40.00 FEET ALONG THE BOUNDARY OF SAID U.S.R. 30 TO THE POINT OF BEGINNING.

PARCEL III:

EASEMENT FOR PARKING LOT, UTILITY CROSSOVERS AND DRIVEWAYS SET OUT IN DOCUMENT RECORDED SEPTEMBER 15, 1989 AS DOCUMENT NO. 058076, OVER, UPON AND ACROSS THE FOLLOWING DESCRIBED TRACT:
(NORTHERN INDIANA PUBLIC SERVICE COMPANY PARCEL)
PART OF THE NORTH 1/2 SECTION 23, TOWNSHIP 35 NORTH, RANGE 1E WEST OF THE 2ND PRINCIPAL MERIDIAN, IN ROSS TOWNSHIP, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY #30 AND THE NORTHEASTERN RIGHT-OF-WAY OF THE ABANDONED C & O RAILROAD, THENCE NORTH 59° 57' 30" WEST ALONG SAID NORTHEASTERN RAILROAD RIGHT OF WAY, 11724.96 FEET; THENCE SOUTH 30° 02' 30" WEST, 100 FEET; THENCE SOUTH 59° 57' 30" EAST ALONG THE SOUTHWESTERN RIGHT-OF-WAY OF SAID ABANDONED RAILROAD RIGHT-OF-WAY, 1542.08 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY #30; THENCE SOUTH 80° 37' 42" EAST, 206.44 FEET TO THE POINT OF BEGINNING.

PARCEL II.V:

EASEMENT OVER COMMON FACILITIES AS SET OUT IN DECLARATION OF EASEMENT RECORDED JANUARY 30, 1979 AS DOCUMENT NO. 513561, OVER, UPON AND ACROSS THE FOLLOWING DESCRIBED TRACT:
(TOYS 'R US PARCEL)
PART OF THE NORTH EAST 1/4 OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 1E WEST OF THE 2ND PRINCIPAL MERIDIAN, IN ROSS TOWNSHIP, LAKE COUNTY, INDIANA, DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23; THENCE SOUTH 02 DEGREES 42 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION 23, 642.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE CHESAPEAKE AND OHIO RAILROAD; THENCE SOUTH 62 DEGREES 42 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE, 11652.33 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 62 DEGREES 42 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE, 11927.67 FEET; THENCE SOUTH 27 DEGREES 18 MINUTES 00 SECONDS WEST, 274.33 FEET; THENCE SOUTH 62 DEGREES 42 MINUTES 00 SECONDS EAST, 4.00 FEET; THENCE SOUTH 27 DEGREES 18 MINUTES 00 SECONDS WEST, 80.00 FEET; THENCE SOUTH 62 DEGREES 42 MINUTES 00 SECONDS EAST, 26.41 FEET; THENCE SOUTH 27 DEGREES 18 MINUTES 00 SECONDS WEST, 275.00 FEET; THENCE NORTH 62 DEGREES 42 MINUTES 00 SECONDS WEST, 260.00 FEET; THENCE NORTH 27 DEGREES 18 MINUTES 00 SECONDS EAST, 275.00 FEET; THENCE SOUTH 62 DEGREES 42 MINUTES 00 SECONDS EAST, 36.92 FEET; THENCE NORTH 27 DEGREES 18 MINUTES 00 SECONDS EAST, 354.33 FEET TO THE PLACE OF BEGINNING.

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AND EGRESS AND ENGRESS FOR VEHICLES AND PEDESTRIAN INGRESS AND EGRESS AS SET FORTH IN SUPPLEMENTAL AGREEMENT RECORDED MARCH 20, 1967 (AS DOCUMENT NO. 98775N, LIVER, UPON AND ACROSS THE FOLLOWING DESCRIBED TRACT)

(HEREINAFTER REFERRED TO AS "PARCEL")
PART OF THE NORTH 1/2 OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 18 WEST OF THE ROSS TOWNSHIP, LAKE COUNTY, INDIANA, LYING SOUTHWESTERLY OF THE 100 FOOT RIGHT-OF-WAY OF THE CHESAPEAKE AND OHIO RAILROAD AND NORTH OF THE 200 FOOT RIGHT-OF-WAY OF U.S. HIGHWAY NO. 130, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23, THENCE SOUTH 02° 42' 00" EAST ALONG THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 1,258.66 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, THENCE NORTH 87° 18' 00" EAST, 721.33 FEET MORE OR LESS TO THE SOUTH LINE OF SAID 100 FOOT WIDE CHESAPEAKE AND OHIO RAILROAD RIGHT-OF-WAY, THENCE SOUTH 62° 42' 00" EAST ALONG SAID SOUTH RIGHT-OF-WAY, 817.41 FEET TO A POINT, 1,652.33 FEET SOUTH 62° 42' 00" EAST FROM THE WEST LINE OF SAID SECTION 23 AND MEASURED ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT-OF-WAY, THENCE SOUTH 27° 18' 00" WEST, 354.33 FEET, THENCE NORTH 62° 42' 00" WEST, 192.12 FEET, THENCE SOUTH 27° 18' 00" WEST, 614.54 FEET MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 130, THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID HIGHWAY, 44.97 FEET, THENCE NORTH 01° 35' 00" WEST, 49.06 FEET, THENCE NORTH 89° 25' 00" EAST, 17.0 FEET, THENCE NORTH 01° 35' 00" WEST, 19.0 FEET, THENCE SOUTH 01° 35' 00" EAST, 328.83 FEET, THENCE SOUTH 01° 35' 00" EAST, 193.54 FEET TO THE NORTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 130, THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID HIGHWAY, 211.0 FEET TO THE EAST LINE OF THE AMERICAN OIL PROPERTY DESCRIBED IN DEED RECORDED IN DEED RECORD 1286 (PAGE 1199), THENCE NORTH 02° 42' 00" WEST, 191.382 FEET ALONG SAID EAST LINE, THENCE SOUTH 87° 18' 00" WEST, 350 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 23, THAT IS 2,287.92 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 23, THENCE NORTH 02° 42' 00" WEST, 1,027.25 FEET TO THE POINT OF BEGINNING.



EASEMENT FOR DRAINAGE, DITCHES, PONDS, ETC., CONTAINED IN A GRANT BY SMITH REAL ESTATE CORPORATION TO G. L. LAND CO., ETAL, AND TO THEIR SUCCESSORS AND ASSIGNS DATED JANUARY 12, 1979 AND RECORDED MARCH 20, AS DOCUMENT NO. 521402 OVER UPON AND ACROSS THE FOLLOWING: PART OF THE NW 1/4 OF SECTION 14, T 35 N., R 6 W. OF THE 2ND L.P.M. LAND COUNTY, INDIANA, DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE W. LINE OF SAID NW 1/4 AND THE NORTH LINE OF THE 100-FOOT WIDE RIGHT-OF-WAY OF THE CHESAPEAKE AND OHIO RAILROAD, THENCE S 62° 40' 00" E ALONG SAID RAILROAD NORTH LINE, 2026.06 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A 90 FOOT WIDE DRAINAGE EASEMENT WHOSE CENTERLINE IS DESCRIBED AS FOLLOWS: N 00° 18' 00" E, 283.72 FEET; THENCE NORTHEASTERLY ALONG A CIRCULAR CURVE WHICH IS CONVEX TO THE NORTHWEST WHOSE RADIUS = FEET, TANGENT = 125.86 FEET, DEFLECTION ANGLE = 80°, A DISTANCE OF 209.00 FEET ALONG SAID CURVE, THENCE N 80° 18' 00" E, 507 FEET, MORE OR LESS, THENCE NORTHEASTERLY ALONG A CIRCULAR CURVE WHICH IS CONVEX TO THE SOUTHEAST WHOSE RADIUS = 150 FEET, TANGENT = 132.71 FEET, DEFLECTION ANGLE = 83°, A DISTANCE OF 217.29 FEET ALONG SAID CURVE TO A POINT ON A LINE LYING 75 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NW 1/4, THENCE N 02° 42' 00" W AND PARALLEL WITH SAID EAST LINE, 1090 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID NW 1/4, THE POINT OF TERMINUS OF SAID DRAINAGE EASEMENT CENTERLINE.

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ALSO:

Parts of the SW 1/4 and the SE 1/4 of the SW 1/4 of SECTION 14, T 35 N., R 6 W. OF THE 2ND L.P.M. LAND COUNTY, INDIANA, DESCRIBED AS BEGINNING AT A POINT ON THE EAST LINE OF THE SW 1/4 OF SAID SW 1/4 LYING 295.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW 1/4 OF SAID SW 1/4, THENCE S 64° W, 137.00 FEET; THENCE WEST, 100.00 FEET; THENCE N 45° W, 108.00 FEET; THENCE N 11° E, 172.00 FEET; THENCE N 59° 24' 18" E, 197.07 FEET; THENCE NORTH, 155.00 FEET; THENCE N 20° E, 145.26 FEET; THENCE EAST, 150.00 FEET; THENCE S 20° 08' 00" E, 92.00 FEET; THENCE SOUTH, 142 FEET; THENCE 209 E, 90.00 FEET; THENCE EAST, 72.00 FEET; THENCE N 30° E, 118.00 FEET; THENCE E 35° W, 280.00 FEET; THENCE N 45° E, 88.47 FEET; THENCE EAST, 130.00 FEET; THENCE S 60° E, 167.00 FEET; THENCE S 33° E, 390.00 FEET; THENCE S 45° E, 175.00 FEET; THENCE S 60° E, 218.31 FEET; THENCE EAST, 148.23 FEET, MORE OR LESS TO THE EAST LINE OF THE SE 1/4 OF SAID SW 1/4; THENCE SOUTHERLY ALONG SAID EAST LINE, 234 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE SE 1/4 OF SAID SW 1/4; THENCE WESTERLY ALONG THE SOUTH LINE OF THE SE 1/4 OF SAID SW 1/4, 120.00 FEET; THENCE NORTH, 35 FEET, MORE OR LESS; THENCE N 82° W, 168 FEET, MORE OR LESS; THENCE N 42° 33' 00" E, 333.00 FEET; THENCE N 75° 12' 41" W, 88.24 FEET; THENCE S 89° W, 92.00 FEET; THENCE S 29° W, 294.00 FEET; THENCE N 48° W, 125.00 FEET; THENCE 85.00 FEET; THENCE S 64° W, 122.00 FEET TO THE POINT OF BEGINNING.

ALTA COMMITMENT FA-3952

PARCEL VII:

PART OF THE NORTH 1/2, SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND PRINCIPAL MERIDIAN, IN ROSS TOWNSHIP, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 AND THE EAST LINE OF THE WEST 1/2, WEST 1/2, NORTHEAST 1/4 OF SAID SECTION 23; THENCE SOUTH 88° 37' 48" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY A DISTANCE OF 178.62 FEET MORE OR LESS TO THE NORTHEASTERN RIGHT-OF-WAY LINE OF THE ABANDONED C & O RAILROAD; THENCE NORTH 62° 42' WEST ALONG SAID RAILROAD RIGHT-OF-WAY, 1724.96 FEET; THENCE NORTH 27° 18" EAST 20.00 FEET; THENCE NORTH 88° 37' 48" EAST, 1661.95 FEET MORE OR LESS TO THE EAST LINE OF THE WEST 1/2, WEST 1/2, NORTHEAST 1/4 OF SAID SECTION 23; THENCE SOUTH 02° 45' 46" EAST 845.37 FEET MORE OR LESS TO THE POINT OF BEGINNING.

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VIII:

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THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., AND THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M. LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 EXCEPTING THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY #30 WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE WEST ALONG THE NORTH LINE OF U.S. HIGHWAY NO. 30, A DISTANCE OF 180 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 150 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF U.S. HIGHWAY NO. 30, A DISTANCE OF 100 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 150 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, INDIANA.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, THENCE NORTH 2 DEGREES 48 MINUTES 02 SECONDS WEST ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 150.0 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF U.S. HIGHWAY 30, A DISTANCE OF 60.01 FEET TO A POINT ON A LINE 60.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT; THENCE CONTINUING WEST ON A LINE PARALLEL TO THE NORTH LINE OF U.S. HIGHWAY 30, A DISTANCE OF 140.0 FEET TO A POINT; THENCE NORTH 2 DEGREES 48 MINUTES 02 SECONDS WEST ON A LINE PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 95.17 FEET; THENCE SOUTH 88 DEGREES 37 MINUTES 48 SECONDS WEST, A DISTANCE OF 166.44 FEET TO A POINT; THENCE SOUTH 1 DEGREE 2 MINUTES 12 SECONDS EAST, A DISTANCE OF 246.32 FEET TO A POINT ON THE NORTH

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NORTHEAST 1/4 OF SAID SECTION 23, THENCE NORTH 2 DEGREES 48 MINUTES 02 SECONDS WEST ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 150.0 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF U.S. HIGHWAY 30, (SAID PARALLEL LINE HAVING A BEARING OF SOUTH 88 DEGREES 06 MINUTES 00 SECONDS WEST) A DISTANCE OF 180.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES 06 MINUTES 00 SECONDS WEST ON SAID LINE PARALLEL TO THE NORTH LINE OF U.S. HIGHWAY 30, A DISTANCE OF 20.01 FEET TO A POINT; THENCE SOUTH 2 DEGREES 48 MINUTES 02 SECONDS EAST ON A LINE PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 149.98 FEET; TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 30, THENCE EASTERLY ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 30, A DISTANCE OF 20.01 FEET ON THE ARC OF A CIRCLE WHOSE CHORD HAS A BEARING OF NORTH 88 DEGREES 09 MINUTES 31 SECONDS EAST, A CHORD LENGTH OF 20.01 FEET AND A RADIUS OF 98117.96 FEET TO A POINT; THENCE NORTH 2 DEGREES 48 MINUTES 02 SECONDS WEST ON A LINE PARALLEL TO THE EAST LINE OF NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING. ALL IN LAKE COUNTY, INDIANA.

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ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHEAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND PRINCIPAL MERIDIAN LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 30 WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, THENCE NORTH 2 DEGREES 48 MINUTES 02 SECONDS WEST ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 150.0 FEET TO THE POINT OF BEGINNING; THENCE WEST PARALLEL TO THE NORTH LINE OF U.S. HIGHWAY 30, A DISTANCE OF 60.01 FEET TO A POINT ON A LINE 60.0 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23; THENCE NORTH 2 DEGREES 48 MINUTES 02 SECONDS WEST ON A LINE PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 1058.72 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 23, THENCE NORTH 87 DEGREES 54 MINUTES 56 SECONDS EAST OF THE LAST DESCRIBED LINE, A DISTANCE OF 60.01 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23; THENCE SOUTH 2 DEGREES 48 MINUTES 02 SECONDS EAST ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 1058.91 FEET TO THE POINT OF BEGINNING. ALL IN LAKE COUNTY, INDIANA.

ALTA COMMITMENT FA-3952

PARCEL 1X1

NON-EXCLUSIVE EASEMENT APPURTENANT FOR ROADWAYS, WALKWAYS, INGRESS AND EGRESS AND PARKING FACILITIES AS CREATED BY EASEMENT DOCUMENT DATED MAY 17, 1990, RECORDED AUGUST 1, 1990 AS DOCUMENT NO. 114786 OVER THE FOLLOWING DESCRIBED LAND:

THAT PART OF THE SOUTH EAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND PRINCIPAL MERIDIAN LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 ROUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 30 WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, THENCE NORTH 2 DEGREES 48 MINUTES 02 SECONDS WEST ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 150.0 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF U.S. HIGHWAY 30, A DISTANCE OF 50.01 FEET TO THE POINT ON A LINE 50.0 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT; THENCE CONTINUING WEST ON A LINE PARALLEL TO THE NORTH LINE OF U.S. HIGHWAY 30, A DISTANCE OF 150.0 FEET TO A POINT; THENCE NORTH 2 DEGREES 48 MINUTES 02 SECONDS WEST ON A LINE PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 95.17 FEET; THENCE SOUTH 88 DEGREES 37 MINUTES 48 SECONDS WEST, A DISTANCE OF 166.44 FEET TO A POINT, THENCE SOUTH 1 DEGREE 22 MINUTES 12 SECONDS EAST, A DISTANCE OF 246.32 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 30, THENCE WESTERLY ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 30, A DISTANCE OF 293.50 FEET ON THE ARC OF A CIRCLE WHOSE CHORD HAS A BEARING OF SOUTH 88 DEGREES 20 MINUTES 00 SECONDS WEST, A CHORD LENGTH OF 233.50 FEET AND A RADIUS OF 98117.96 FEET TO A POINT; THENCE NORTH 1 DEGREE 22 MINUTES 12 SECONDS WEST, A DISTANCE OF 762.53 FEET TO A POINT; THENCE NORTH 88 DEGREES 37 MINUTES 48 SECONDS EAST, A DISTANCE OF 28.64 FEET TO A POINT; THENCE NORTH 1 DEGREE 22 MINUTES 12 SECONDS WEST, A DISTANCE OF 292.84 FEET TO A POINT; THENCE SOUTH 88 DEGREES 37 MINUTES 48 SECONDS WEST, A DISTANCE OF 50.00 FEET TO A POINT; THENCE NORTH 1 DEGREE 22 MINUTES 12 SECONDS WEST, A DISTANCE OF 160.0 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 23, THENCE NORTH 87 DEGREES 54 MINUTES 56 SECONDS EAST ON THE LAST DESCRIBED LINE, A DISTANCE OF 547.27 FEET TO A POINT ON A LINE 50.0 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23; THENCE SOUTH 2 DEGREES 48 MINUTES 02 SECONDS EAST ON A LINE 50.0 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, A DISTANCE OF 1058.75 FEET TO THE POINT OF BEGINNING, ALL IN LAKE COUNTY, INDIANA.

(END OF SCHEDULE A)