

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR  
TRANSFER OF REAL PROPERTY

92070207

For Use By County  
Recorder's Office  
County  
Date  
Doc. No.  
Vol.  
Page  
Rec'd by:

The following information is provided under IC 13-7-22, the Responsible Property Transfer Law.

I. PROPERTY IDENTIFICATION

A. Address of property: ABANDONED RAILROAD

RAILROAD AVENUE Street  
GARY LAKE STATE IN City or Town Township

Parcel 4  
Permanent Real Estate Index No.: HEBART

B. Legal Description:

Section 5-6-90 Township 36N Range 7

Enter or attach complete legal description in this area:

See Attached Complete Legal Description

LIABILITY DISCLOSURE

Transferees and transferees of real property are advised that their ownership or other control of such property may render them liable for environmental cleanup costs whether or not they caused or contributed to the presence of environmental problems in association with the property.

C. Property Characteristics:

Lot Size \_\_\_\_\_ Acreage 93

Check all types of improvement and uses that pertain to the property:

- Apartment building (6 units or less)
- Commercial apartment (over 6 units)
- Store, office, commercial building
- Industrial building
- Farm, with buildings
- Other (specify) ABANDONED RAILROAD

II. NATURE OF TRANSFER

- A. (1) Is this a transfer by deed or other instrument of conveyance? Yes \_\_\_\_\_ No \_\_\_\_\_
- (2) Is this a transfer by assignment of over 25% of beneficial interest of a land trust? \_\_\_\_\_
- (3) A lease exceeding a term of 40 years? \_\_\_\_\_
- (4) A mortgage or collateral assignment of beneficial interest? X \_\_\_\_\_
- (5) A contract for the sale of property? \_\_\_\_\_

B. (1) Identify Transferor:

Name and Current Address of Transferor  
GAINBAR TRUST 7-2000  
Trust No.

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust.

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:  
RAWLINA FABIAN 219-923-6000  
Name, Position (if any), Telephone No. and address

C. Identify Transferee:

457857- USG  
Lake Federal Svast Loan  
7048 Kennedy Ave, Had

Name and Current Address of Transferee

III. ENVIRONMENTAL INFORMATION

A. Regulatory Information During Current Ownership

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage, or handling of "hazardous waste", as defined by IC 13-7-1? This question does not apply to consumer goods stored or handled by a retailer in the same form and approximate amount, concentration, and manner as they are sold to consumers, unless the retailer has engaged in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property.

Yes \_\_\_\_\_  
No X

2. Has the transferor ever conducted operations on the property which involved the processing, storage, or handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?

Yes \_\_\_\_\_  
No X

3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment, or disposal of "hazardous waste", as defined by IC 13-7-1?

Yes \_\_\_\_\_  
No X

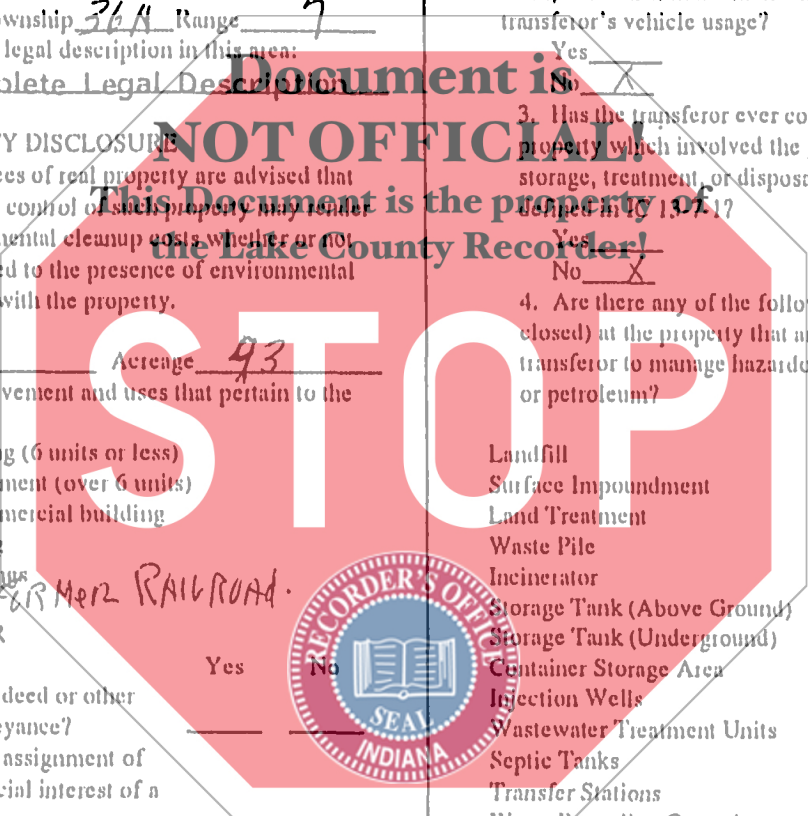
4. Are there any of the following specific units (operating or closed) at the property that are used or were used by the transferor to manage hazardous wastes, hazardous substances, or petroleum?

	Yes	No
Landfill	_____	<u>X</u>
Surface Impoundment	_____	<u>X</u>
Land Treatment	_____	<u>X</u>
Waste Pile	_____	<u>X</u>
Incinerator	_____	<u>X</u>
Storage Tank (Above Ground)	_____	<u>X</u>
Storage Tank (Underground)	_____	<u>X</u>
Container Storage Area	_____	<u>X</u>
Injection Wells	_____	<u>X</u>
Wastewater Treatment Units	_____	<u>X</u>
Septic Tanks	_____	<u>X</u>
Transfer Stations	_____	<u>X</u>
Waste Recycling Operations	_____	<u>X</u>
Waste Treatment Detoxification	_____	<u>X</u>
Other Land Disposal Area	_____	<u>X</u>

If there are "YES" answers to any of the above items and the transfer of property that requires the filing of this document is other than a mortgage or collateral assignment of beneficial interest, you must attach to the copies of this document that you file with the county recorder and the department of environmental management a site plan that identifies the location of each unit.

5. Has the transferor ever held any of the following in regard to this real property?

- (A) Permits for discharges of wastewater to waters in Indiana. Yes \_\_\_\_\_ No X
- (B) Permits for emissions to the atmosphere. Yes \_\_\_\_\_ No X
- (C) Permits for any waste storage, waste treatment, or waste disposal operation. Yes \_\_\_\_\_ No X



Chickadee Title Insurance Company

STATE OF INDIANA  
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6. Has the transferor ever discharged any wastewater (other than sewage) to a publicly-owned treatment works?

Yes \_\_\_\_\_  
No \_\_\_\_\_

7. Has the transferor been required to take any of the following actions relative to this property?

- (A) Filed an emergency and hazardous chemical inventory form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11022). Yes \_\_\_\_\_ No \_\_\_\_\_
- (B) Filed a toxic chemical release form pursuant to the federal Emergency Planning and Community Right-to-Know of 1986 (42 U.S.C. 11023). Yes \_\_\_\_\_ No \_\_\_\_\_

8. Has the transferor or any facility on the property or the property been the subject of any of the following state or federal governmental actions?

- (A) Written notification regarding known, suspected, or alleged contamination on or emanating from the property. Yes \_\_\_\_\_ No \_\_\_\_\_
- (B) Filing an environmental enforcement case with a court or the solid waste management board for which a final order or consent decree was entered. Yes \_\_\_\_\_ No \_\_\_\_\_
- (C) If the answer to question (B) was Yes, then indicate whether or not the final order or decree is still in effect for this property. Yes \_\_\_\_\_ No \_\_\_\_\_

9. Environmental Releases During Transferor's Ownership.

- (A) Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under state or federal laws? Yes \_\_\_\_\_ No \_\_\_\_\_
- (B) Have any hazardous substances or petroleum which were released come into direct contact with the ground at this site? Yes \_\_\_\_\_ No \_\_\_\_\_

If the answers to questions (A) and (B) are Yes, have any of the following actions or events been associated with a release on the property?

- \_\_\_\_\_ Use of a cleanup contractor to remove or treat materials including soils, pavement, or other surficial materials?
- \_\_\_\_\_ Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials?
- \_\_\_\_\_ Sampling and analysis of soils?
- \_\_\_\_\_ Temporary or more long term monitoring of groundwater at or near the site?
- \_\_\_\_\_ Impaired usage of an on-site or nearby water well because of offensive characteristics of the water?
- \_\_\_\_\_ Coping with fumes from subsurface storm drains or inside basements?
- \_\_\_\_\_ Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site?

10. Is the facility currently operating under a variance granted by the commissioner of the Indiana department of environmental management?

Yes \_\_\_\_\_  
No \_\_\_\_\_

11. Is there any explanation needed for clarification of any of the above answers or responses?

X10

B. Site Information Under Other Ownership or Operation

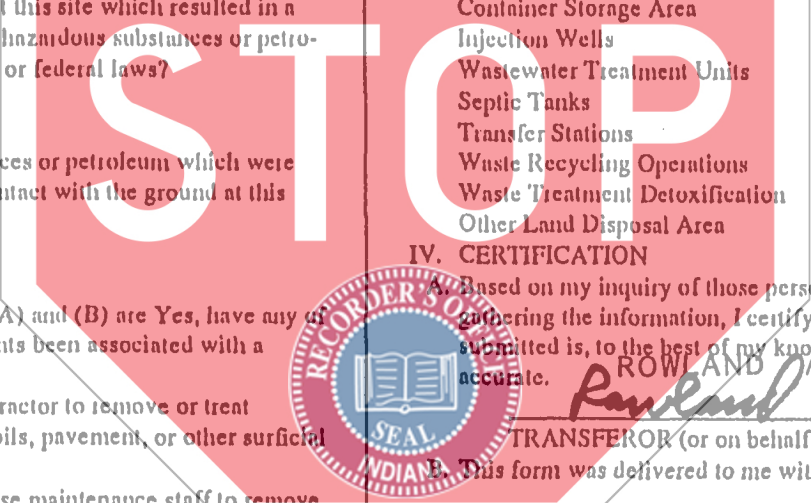
1. Provide the following information about the previous owner or about any entity or person to whom the transferor leased the property or with whom the transferor contracted for the management of the property:

Name: \_\_\_\_\_  
Type of business FORKED STRAM RAIL ROAD  
or property usage NO STATIONS OR YARDS

2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, or other contracts for management or use of the property:

	Yes	No
Landfill	_____	<u>X</u>
Surface Impoundment	_____	<u>X</u>
Land Treatment	_____	<u>X</u>
Waste Pile	_____	<u>X</u>
Leachate	_____	<u>X</u>
Storage Tank (Above Ground)	_____	<u>X</u>
Storage Tank (Underground)	_____	<u>X</u>
Container Storage Area	_____	<u>X</u>
Injection Wells	_____	<u>X</u>
Wastewater Treatment Units	_____	<u>X</u>
Septic Tanks	_____	<u>X</u>
Transfer Stations	_____	<u>X</u>
Waste Recycling Operations	_____	<u>X</u>
Waste Treatment Detoxification	_____	<u>X</u>
Other Land Disposal Area	_____	<u>X</u>

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IV. CERTIFICATION

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

Rowland A. Fabian  
TRANSFEROR (or on behalf of Transferor).

B. This form was delivered to me with all elements completed on \_\_\_\_\_ 19\_\_\_\_

TRANSFEEE (or on behalf of Transferee)

STATE OF INDIANA, LAKE COUNTY ss:  
On this 15th day of October, 1992,  
before me, the undersigned, a Notary Public in  
and for said county, personally appeared.....  
Rowland A. Fabian.....  
....., and acknowledged the  
execution of the foregoing instrument.

WITNESS my hand and official seal.

My commission expires: 2-1-93

Karen M. Sulek  
Notary Public KAREN M. SULEK

County of Residence: Lake

PARCEL 4

PARCEL 4: A PARCEL OF LAND IN GOVERNMENT LOTS 1, 2, 3, AND IN SECTIONS 3, 4, 5, 6, 7, 8, 9 AND 10, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN CALUMET TOWNSHIP (GARY), HOBART TOWNSHIP (LAKE STATION), BOTH IN LAKE COUNTY, INDIANA AND PORTAGE TOWNSHIP (PORTAGE), IN PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY A "T" RAIL AT THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, WHICH POINT IS ALSO THE SOUTHWEST CORNER OF BLOCK 3, EWING'S SUBDIVISION, ALSO KNOWN AS "MILLER STATION", AS RECORDED IN PLAT BOOK 5, PAGE 45, IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA; THENCE NORTH ON THE WEST LINE OF BLOCK 3 (CENTERLINE OF CLAY STREET) FOR A DISTANCE OF 100 FEET TO THE NORTH LINE OF DEED RECORD 62, PAGE 169, IN THE LAKE COUNTY RECORDER'S OFFICE; THENCE EAST ON THE NORTH LINE OF SAID DEED RECORD 62, PAGE 169, TO A POINT IN THE EAST LINE OF SAID BLOCK 3 THAT IS 132.4 FEET NORTH OF THE SOUTHWEST CORNER OF SAID BLOCK 3; THENCE CONTINUING EAST ON THE NORTH LINE OF DEED RECORD 61, PAGE 208, FOR A DISTANCE OF 1,145.89 FEET TO A POINT IN THE CENTERLINE OF LAKE STREET THAT IS 150 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 6; THENCE CONTINUING EAST ON THE NORTH LINE OF SAID DEED RECORD 61, PAGE 208, FOR A DISTANCE OF 1,482.98 FEET TO A POINT IN THE EAST LINE OF SAID SECTION 6 THAT IS 156 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE EAST ON THE NORTH LINE OF A 4.685 ACRE TRACT OF LAND DESCRIBED IN DEED RECORD 58, PAGE 431, IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5 FOR A DISTANCE OF 1,317.65 FEET TO A POINT IN THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 5, SAID POINT IS 153.4 FEET NORTH OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 5, AND THE POINT OF BEGINNING OF A 3.36 ACRE TRACT OF LAND DESCRIBED IN DEED RECORD 58, PAGE 429. THENCE SOUTH ON SAID EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER WHICH IS ALSO THE WEST LINE OF PACKER'S ADDITION TO MILLER AS FOUND IN PLAT BOOK 2, PAGE 53, IN THE LAKE COUNTY RECORDER'S OFFICE, FOR A DISTANCE OF 20.4 FEET; THENCE EAST ON THE NORTH LINE OF THE 3.36 ACRE TRACT OF LAND FOUND IN DEED RECORD 58, PAGE 429, FOR A DISTANCE OF 495 FEET TO THE CENTERLINE OF A 14-FOOT WIDE N-S DEDICATED ALLEY OF BLOCK 15 OF SAID PACKER'S ADDITION TO MILLER; THENCE SOUTH ON SAID ALLEY CENTERLINE FOR A DISTANCE OF 25 FEET; THENCE CONTINUING EAST ON THE NORTH LINE OF SAID DEED RECORD 58, PAGE 429, FOR A DISTANCE OF 495 FEET TO A POINT IN THE CENTERLINE OF 66-FOOT WIDE MIAMI STREET WHICH IS BETWEEN BLOCKS 13 AND 14 OF SAID PACKER'S ADDITION TO MILLER; THENCE SOUTH ON SAID CENTERLINE OF MIAMI STREET FOR A DISTANCE OF 25 FEET; THENCE CONTINUING EAST ON THE NORTH LINE OF SAID DEED RECORD 58, PAGE 429, FOR A DISTANCE OF 315.15 FEET; THENCE NORTH 17 FEET; THENCE EAST 16.5 FEET, MORE OR LESS, TO A POINT IN THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5 THAT IS 100



FEET NORTH OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTHEASTERLY ON THE NORTH LINE OF A 3.03 ACRE TRACT OF LAND DESCRIBED IN DEED RECORD 58, PAGE 430, FOR A DISTANCE OF 2,680 FEET, MORE OR LESS, TO A T-RAIL MARKING EAST OCCUPANCY OF THE CITY OF GARY AND THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE EAST ON THE NORTH LINE OF TWO TRACTS OF LAND REFERRED TO AS PART OF GOVERNMENT LOTS 2 AND 3 IN SECTION 9, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, WHICH NORTH LINE IS THE NORTH LINE OF THE TRACTS OF LAND DESCRIBED IN DEED RECORD 62, PAGE 133, AND DEED RECORD 58, PAGE 329, FOR A DISTANCE OF 2,657.41 FEET TO A T-RAIL MARKING THE NORTHWEST CORNER OF GOVERNMENT LOT 1; THENCE CONTINUING EAST ON THE NORTH LINE OF SAID SECTION 9 AND GOVERNMENT LOT 1 FOR A DISTANCE OF 2,232.56 FEET TO THE WESTERLY MOST POINT OF A QUIT CLAIM DEED FOR HIGHWAY PURPOSES MADE IN 1931 THAT CAME OUT OF THE WABASH RAILROAD, MADE THE 28TH DAY OF MAY, 1931 AND RECORDED JUNE 8, 1931 IN DEED BOOK 479, PAGE 330, IN THE LAKE COUNTY RECORDER'S OFFICE; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 11,359 FEET FOR A DISTANCE OF 422.85 FEET TO A POINT OF CURVE; THENCE SOUTH 81 DEGREES 14 MINUTES EAST A DISTANCE OF 6.2 FEET TO THE EAST LINE OF SAID LOT 1 WHICH IS ALSO THE EAST LINE OF SECTION 9; THENCE NORTH ON THE COUNTY LINE BETWEEN LAKE AND PORTER COUNTY, A DISTANCE OF 37.1 FEET TO A POINT THAT IS 14.9 FEET, MORE OR LESS, SOUTH OF THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE 2ND PRINCIPAL MERIDIAN AND MEASURED ALONG THE WEST LINE OF DEED BOOK 47, PAGE 241, PORTER COUNTY RECORDER'S OFFICE; THENCE SOUTHEAST ON A BEARING OF SOUTH 81 DEGREES 14 MINUTES WEST FROM PARCEL NUMBERED TWO OF AFORESAID LAKE COUNTY DEED BOOK 479, PAGE 330, FOR A DISTANCE OF 666.6 FEET TO THE EAST LINE OF WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE CONTINUING ON THE NORTH LINE OF THE 100 FOOT WIDE STRIP OF LAND OWNED IN 1892 BY THE WABASH RAILROAD AND DESCRIBED IN DEED BOOK 47, PAGES 240, 241, 242 AND 331 FOR A DISTANCE OF 2,749.95 FEET, MORE OR LESS, TO THE CENTERLINE OF WILLOW CREEK AND THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 10, SAID POINT IN SAID NORTH LINE IS 673.88 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 10 AND IS THE EAST LINE OF THE TRACT DESCRIBED IN DEED BOOK 47, PAGE 331; THENCE SOUTH ON SAID EAST LINE OF THE TRACT DESCRIBED IN DEED BOOK 47, PAGE 331, AND THE CENTERLINE OF WILLOW CREEK FOR A DISTANCE OF 102.28 FEET TO THE NORTH LINE OF TIMBER CREEK ESTATES UNIT 11 AND THE SOUTH LINE OF THE 100-FOOT WIDE WABASH RAILROAD RIGHT OF WAY; THENCE NORTHWESTERLY ON SAID SOUTH 100-FOOT RIGHT OF WAY LINE 3,067.87 FEET, MORE OR LESS, TO THE WEST BANK OF THE NOW DUG BURNS DITCH AND THE EAST LINE OF THE PARCEL DESCRIBED IN DEED BOOK 64, PAGE 530, IN THE PORTER COUNTY RECORDER'S OFFICE; THENCE SOUTHWESTERLY ON THE WEST BANK OF THE NOW DUG BURNS DITCH AND THE SAID EAST LINE FOR A DISTANCE OF 250 FEET, MORE OR LESS TO A LINE DESCRIBED IN DEED BOOK 64, PAGE 530, AS BEING 400 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF AFORESAID SECTION 10; THENCE WEST ON SAID 400-FOOT PARALLEL LINE FOR A DISTANCE OF 210 FEET, MORE OR LESS, TO THE PORTER-LAKE COUNTY LINE; THENCE NORTH ON THE COUNTY LINE

AND THE WEST LINE OF SAID SECTION 10 FOR A DISTANCE OF 200 FEET TO THE SOUTH LINE OF THE FORMER WABASH RAILROAD RIGHT OF WAY IN 1892 WAS 200-FOOT WIDE AND WAS A TRACT OF LAND DESCRIBED IN DEED BOOK 58, PAGE 343; THENCE WEST ON THE SOUTH 200-FOOT RIGHT OF WAY LINE ACROSS GOVERNMENT LOTS 1 AND 2 IN SAID SECTION FOR A DISTANCE OF 3,680.15 FEET, MORE OR LESS, TO THE EASTERLY MOST POINT OF A 1.316 ACRE OF TOLL ROAD LAND IDENTIFIED AS PARCEL 1L, THIS 3,680.15 FOOT LINE IS ALSO ALONG THE SOUTH LINE OF THOSE TRACTS DESCRIBED AND FOUND IN BOOK 58, PAGE 329 AND PAGE 343, LAKE COUNTY RECORDER'S OFFICE; THENCE USING PARCEL 1L REVERSED BEARINGS, NORTH 64 DEGREES 42 MINUTES 57 SECONDS WEST 165.39 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 17 SECONDS WEST, 632.20 FEET; THENCE SOUTH 72 DEGREES 49 MINUTES 11 SECONDS WEST, 233.75 FEET TO A POINT IN THE SOUTH 200-FOOT RIGHT OF WAY THAT IS 670.58 FEET EAST OF THE WEST LINE OF SAID SECTION 9 MEASURED ALONG THE SOUTH LINE OF THE WABASH PARCEL FOUND AND RECORDED IN BOOK 62, PAGE 133; THENCE WEST ON SAID SOUTH LINE OF THE TRACT DESCRIBED IN BOOK 62, PAGE 133, FOR A DISTANCE OF 670.58 FEET TO THE WEST LINE OF SAID SECTION 9 AND THE EAST LINE OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 7, WEST OF THE SECOND PRINCIPAL MERIDIAN; THENCE WEST ON AFORESAID 200-FOOT RIGHT OF WAY LINE AS FOUND AND DESCRIBED IN DEED RECORD 58, PAGE 416, IN SAID SECTION 8, FOR A DISTANCE OF 2,635 FEET, MORE OR LESS, TO THE EAST LINE OF THE 2.91 ACRE TRACT OF LAND DESCRIBED IN DEED RECORD 62, PAGE 253; THENCE WEST ON THE SOUTH LINE OF SAID 2.91 ACRE TRACT FOR A DISTANCE OF 660 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE NORTH ON SAID WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER FOR A DISTANCE OF 191.5 FEET TO THE SOUTH LINE OF THE AFORESAID TRACT DESCRIBED IN DEED RECORD 58, PAGE 429, AND THE SOUTH LINE OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN; THENCE WEST ON SAID SOUTH LINE OF SECTION 5 AND THE SOUTH LINE OF DEED RECORD 58, PAGES 429, 430 AND 431 FOR A DISTANCE OF 1,977.66 FEET TO THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN; THENCE WEST ON THE SOUTH LINE OF SECTION 6 AND THE SOUTH LINE OF WABASH TRACTS DESCRIBED AND FOUND IN DEED RECORD 61, PAGE 208, AND DEED RECORD 62, PAGE 169, FOR A DISTANCE OF 4,897.3 FEET TO THE POINT OF BEGINNING.