NTERCOUNTY TIME S/3 5 7475 CO.

Intercounty Title 822 W. Jefferson Joliet Se 7 60435

This ins rument was prepared by Joseph D. Palmisano 79 West Monroe Street Suite 826 Chicago, Illinois 60603

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MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this 28th day of June, 1993, by and between LAKE COUNTY TRUST COMPANY, NOT INDIVIDUALLY, BUT AS TRUSTEE UNDER A TRUST AGREEMENT DATED NOVEMBER 15,
1965 AND KNOWN AS TRUST NO. 1202 (hereinafter referred to as
"Seller") and MERRILLVILLE VENTURE LIMITED PARTNERSHIP (hereinafter referred to as "Purchaser").

Document is. NOT OFFICIAL!

Provided Turchaser unkert is the property and performed the Lake County Recorder!

all of the covenants in accordance with a certain Agreement for Sale of Real Estate dated November 6, 1992, Seller hereby covenants and agrees to cause conveyance to Purchaser, title in fee simple, to the following described property:

The North 1/2 of the Northwest 1/4 (excepting therefrom the West 1419.73 feet) of Section 26, Township 35 North, Range 8, West of the Second Principal Meridian, all in Lake County, Indiana.

ADDRESS:

Vacant Propert

KEY NUMBER:

15-0125-0008DIA

AUG 5 1993

This instrument is merely a memorandum of the dissertion and Agreement for Sale of Real Estate and is subject to all of the terms, conditions and provisions thereof. In the event of any inconsistency between the terms of said Agreement and this instrument, the terms of said Agreement shall prevail as between the parties hereto.

It is further agreed that this Memorandum hereby ratifies and confirms said Agreement. This Memorandum is hereby made binding upon the heirs, executors, administrators and assigns of the parties hereto and beneficiaries thereunder.

Mail (72:

Joseph D. Palmisano 79 W. Monros Suito 826 Chicago, IL. 60603

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IN WITNESS WHEREOF, the parties have executed this Memorandum on the day and year first above written.

PURCHASER: MERRILLVILLE VENTURE LIMITED PARTNERSHIP
BY: CUMBERLAND DEVELOPMENT, INC., General

	Calvin Boender, President
STATE OF ILLINOIS)	
) SS	
COUNTY OF C O O K)	
in the State aforesaid, DO HEREBY personally known to me to be the sto the foregoing instrument, appeared and acknowledged that he strument as his free and voluntary therein set forth.	red before me this day in person delivered the said in-
GIVEN under my hand and efficial is	ene property of 30th, 1993.
Joseph D participation Coun	NOTARY PUBLIC
~~	
SELLER: LAKE COUNTY TRUST COMPANY TRUSTEE UNDER TRUST NO.	Y, NOT INDIV., BUT SOLELY AS
BY: SEE SIGNATURE PAGE ATTACHED	ASSESSIGNATURE PAGE ATTACHED
in the State aforesaid, DO HEREBY	Public in and for said County,
Trust Officer of the LAKE COUNTY	TRUST COMPANY, and
sonally known to me to be the same to the foregoing instrument as suc Secretary, respectively, appeared acknowledged that they signed and own free and voluntary act and as Trust Company, as Trustee as afore therein set forth; and said Assist ledged that he, as custodian of the	before me this day in person and delivered said instrument as their the free and voluntary act of said esaid, for the uses and purposes tant Secretary then and there acknowne corporate seal of said Trust seal of said Trust Company to said luntary act and as the free and my, as Trustee as aforesaid, for forth.
•	NOTARY PUBLIC PAGE ATTACHED
Ī	IOTARY PUBLIC

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against LAKE COUNTY TRUST COMPANY on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

Nothing contained herein shall be construed as creating any liability on LAKE COUNTY TRUST COMPANY, personally under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or the Indiana Responsible Property Transfer Law (the Act) as amended from time to time or any other Federal, State of local law, rule or regulation. LAKE COUNTY TRUST COMPANY, personally is not a "Transferor or Transferee" under the Act and makes no representations concerning any possible environmental defects. In making have Described to the beneficiaries and not of its own knowledge and specifically exculpates itself from any liabilities, responsibilities or damages as a result of including any warranty in this instrument.

The information contained in this instrument has been furnished the undersigned by the beneficiary/beneficiaries under aforesaid Trust and the statements made therein are made solely in reliance thereon and no responsibility is assumed by the undersigned, in its individual capacity for the truth or accuracy of the facts herein stated.

IN WITNESS WHEREOF, LAKE COUNTY TRUST COMPANY, not personally but as Trustee as aforesaid, has caused these presents to be signed by its Trust Officer and attested by its Assistant Secretary this 28th day of June, 1993.

LAKE COUNTY TRUST COMPANY, not personally but as Trustee under the provisions of a Trust Agreement dated November 15, 1965 and known as Trust No. 1202.

BY: Clause M. Warstell
Elaine M. Worstell, Trust Officer

ATTEST:
BY: Sandra L. Stiglitz, Assistant Secretary

STATE OF INDIANA

ss:

COUNTY OF LAKE

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Officers of LAKE COUNTY TRUST COMPANY, who acknowledge the execution of the foregoing instrument as the free and voluntary act of said Corporation and as their free and voluntary act, acting for such Corporation, as Trustee.

Witness my hand and seal this 28th day of June, 1993.

Angeline Bravos-Notary Public

My Commission Expires:

May 15, 1995

Resident: Lake County, In.