

T.X.S.: Same

93084740

THIS INDENTURE WITNESSETH

That the Grantor, Florian V. O'Day, Trustee UAD 11/6/78 and Kathryn O'Day, Trustee UAD 12/12/78, of the County of Lake and State of Indiana for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations in hand paid, convey and warrant unto Florian V. O'Day, 10117 Kennedy Ave., Highland, IN 46322, as Trustee under the provisions of a trust agreement dated the 10TH day of December, 1993, known as O'Day 1993 Land Trust Agreement, the following described real estate in the County of Lake and State of Indiana to-wit:

See Exhibit A attached hereto and made a part hereof

Exception to Disclosure: #7. Gift

TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth:

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to resubdivide said property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms; to convey either with or without consideration, to convey said premises or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion; by leases to commence in present or in future, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said property or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof, and to deal with said property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

This conveyance is made upon the express understanding and condition that neither Florian V. O'Day individually or as Trustee, nor his/her successor or successors in trust, shall incur any personal liability or be subjected to any claim, judgment or decree for anything he/she/they or his/her/their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this Deed or said Trust Agreement or any amendment thereto; or for injury to person or property happening in or about said real estate, any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by him/her/it in the name of the then beneficiary under said Trust Agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or at the election of the Trustee, in his/her/its own name, as Trustee of an express trust and individually, and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharge thereof. All persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said trustee, in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument (a) that at the time of the delivery thereof the trust created by this indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said trust agreement or in some amendment thereof, and binding upon all beneficiaries thereunder, (c) that said trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of his/her/its/their predecessor in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

In Witness Whereof, the Grantor aforesaid has hereunto set his hand and seal this 10TH day of December, 1993.

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER.

Florian V. O'Day 11-6-78
Florian V. O'Day, Trustee UAD 11/6/78

Kathryn O'Day U.A.D. 12/12/78
Kathryn O'Day, Trustee UAD 12/12/78

DEC 15 1993

James M. Connor
STATE OF INDIANA AUDITOR LAKE COUNTY
) SS:
COUNTY OF LAKE)

Before me, a notary public in and for said county and state, personally appeared Florian V. O'Day, Trustee UAD 11/6/78 and Kathryn O'Day, Trustee UAD 12/12/78, who acknowledged the execution of the foregoing instrument as his/her free and voluntary act and deed and the free and voluntary act and deed of each of their trusts for the uses and purposes expressed therein.

WITNESS my hand and notarial seal this 10TH day of December, 1993.

My commission expires
April 13, 1996

William J. Connor
Notary Public
Resident of Lake County

1069 *900*

Parcel 1

Key #6-3-9

That part of the East Half of the Southwest Quarter of Section 5, Township 34 North, Range 9 West of the 2nd Principal Meridian described as beginning at the Southwest corner thereof; thence North 0° 45' 12.5" East along the West line of said East Half a distance of 2650.04 feet to the Northwest corner thereof; thence South 89° 03' 27" East along the North line of said East Half of the Southwest Quarter a distance of 1161.72 feet to a point which is 159.70 feet West of the Northeast corner of said Southwest Quarter; thence South 0° 46' 42" West along a line parallel with the East line of said East Half of the Southwest quarter a distance of 2652.20 feet to a point on the South line of said East Half of the Southwest Quarter; thence North 88° 57' 11" West along said South line a distance of 59.80 feet to the Southeast corner of a parcel of land conveyed to Ralph R. Wachtel and Dolores Wachtel and recorded in Deed Record 1137, page 229, in Lake County, Indiana; thence North 0° 46' 42" East a distance of 435.60 feet; thence North 88° 57' 11" West a distance of 100.0 feet; thence South 0° 46' 42" West a distance of 435.60 feet to a point on the South line of said Southwest Quarter; thence North 88° 57' 11" West along said South line a distance of 1000.78 feet to the point of beginning, all in Lake County, Indiana containing 69.668 acres, more or less.

Parcel 2

Key #52-1-27

A part of the South Half of the South Half of Section 32, Township 35 North, Range 9 West of the 2nd Principal Meridian, and a part of the North Half of Section 5, Township 34 North, Range 9 West of the 2nd Principal Meridian, described as commencing at the Southeast corner of Homestead Acres 9th Addition to the Town of St. John, as shown in Plat Book 49 page 128 in Lake County, Indiana; thence South 88° 51' 10" East a distance of 380.02 feet to the point of beginning of this description; thence North 0° 45' 12.5" East a distance of 346.75 feet; thence North 34° 59' 42.5" East a distance of 70.0 feet; thence Southeasterly a distance of 217.82 feet as measured along the arc of a curve concave to the Northeast and having a radius of 351.01 feet; thence Northeasterly a distance of 162.12 feet as measured along the arc of a curve concave to the Northwest and having a radius of 206.42 feet; thence North 46° 26' 25" East a distance of 190.0 feet; thence Northeasterly a distance of 95.60 feet as measured along the arc of a curve concave to the Northwest and having a radius of 782.49 feet; thence North 37° 26' 25" East a distance of 350.0 feet; thence Northeasterly a distance of 105.29 feet as measured along the arc of a curve concave to the Southeast and having a radius of 670.31 feet; thence North 46° 26' 25" East a distance of 260.0 feet to a point on the centerline of Bull Run Creek; thence South 43° 33' 35" East along the centerline of Bull Run Creek a distance of 205.0 feet; thence continuing along the centerline of Bull Run Creek a distance of 119.86 feet as measured along the arc of a curve concave to the Southwest and having a radius of 1018.46 feet; thence South 36° 49' 00" East along said centerline a distance of 576.74 feet; thence Southerly along said centerline a distance of 601.98 feet as measured along the arc of a curve concave to the West and having a radius of 591.27 feet; thence South 21° 31' 00" West along said centerline a distance of 1363.45 feet; thence southwesterly along said centerline a distance of 99.95 feet as measured along the arc of a curve concave to the Southeast and having a radius of 1259.07 feet; thence South 16° 58' 06.3" West along said centerline a distance of 130.59 feet to a point on the South line of the North Half of said Section 5; thence North 89° 03' 27" West along said South line a distance of 1592.84 feet to the Southeast corner of Homestead Acres 14th Addition, Unit 2 to the Town of St. John, as shown in Plat Book 68 page 65 in Lake County, Indiana; thence North 0° 45' 12.5" East a distance of 153.46 feet; thence South 89° 14' 47.5" East a distance of 60.0 feet; thence North 0° 45' 12.5" East a distance of 852.0 feet to a point on the South line of Homestead Acres 13th Addition to the Town of St. John, as shown in Plat Book 61 page 1 in Lake County, Indiana; thence North 84° 22' 47.4" East a distance of 213.17 feet; thence South 89° 14' 47.5" East a distance of 508.77 feet; thence North 01° 08' 50" East a distance of 423.27 feet; thence North 88° 51' 10" West a distance of 873.56 feet; thence North 0° 45' 12.5" East a distance of 140.0 feet; thence South 88° 51' 10" East a distance of 530.02 feet to the point of beginning; all in the town of St. John, Lake County, Indiana, containing 86.52356 acres, more or less, excepting therefrom the following parcels of real estate in Homestead Acres, St. John, Indiana: 14th Addition, Unit #3, as recorded in Book 069, Page 26, and containing 5.62537 acres, more or less; 16th Addition as recorded in Book 070, Page 23 and containing 12.74592 acres, more or less; 20th Addition as recorded in Book 072, Page 75, and containing 11.23115 acres, more or less; 21st Addition as recorded in Book 072, Page 76, containing 5.63696 acres, more or less; and 22nd Addition as recorded in Book 072, Page 77, containing 4.40243 acres, more or less; (making a total of 39.64183 acres, more or less, which are not conveyed, and a total of 46.88173 acres, more or less, in Parcel 2, which are conveyed by this deed, along with Parcel 1. above)

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