

Project: MM-220-1(26)  
Parcel: 72  
Code: 2715

002298

A WARNING TO THE PARTIES TO A TRANSFER OF PROPERTY: It is highly unlikely that the single act of reading this document would be found to constitute "all appropriate inquiry into the previous ownership and uses of the property" so as to protect you against liability under the "innocent purchaser" provision of the Federal Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601(35)(B). You are strongly encouraged not only to read this document carefully but also to take all other actions necessary to the exercise of due diligence in your inquiry into the previous ownership and uses of the property.

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR  
TRANSFER OF REAL PROPERTY

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

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For Use By County Recorder's Office  
County:  
Date:  
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Rec'd by:

AMASA G. COLBY  
CHIEF DEP. RECORDER

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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

I. PROPERTY IDENTIFICATION

A. Address of property: Cline Avenue, Highland, Lake County, Indiana  
Street  
Highland North  
City or Town Township

Tax Parcel Identification No. (Key Number): 16-27-0002-0001  
(Tax-Exempt)

B. Legal Description:  
Section 15 Township 36N Range 9W

Enter or attach complete legal description in this area:

Please refer to the attached Exhibit A.

LIABILITY DISCLOSURE

Transferors 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.

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Handwritten signature or initials.

C. Property Characteristics:

Lot Size see attached Acreage 0.467 more or less

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)

II. NATURE OF TRANSFER

- |   | Yes        | No         |
|---|------------|------------|
| A. (1) Is this transfer by deed or other instrument of conveyance of fee title to property? | <u>X</u>   | <u>   </u> |
| (2) Is this transfer by assignment of over 25% of beneficial interest of a land trust?      | <u>   </u> | <u>X</u>   |
| (3) A lease exceeding a term of 40 years?   | <u>   </u> | <u>X</u>   |
| (4) A collateral assignment of beneficial interest?   | <u>   </u> | <u>X</u>   |
| (5) A installment contract for the sale of property?  | <u>   </u> | <u>X</u>   |
| (6) A mortgage or deed?   | <u>   </u> | <u>X</u>   |
| (7) A lease of any duration that includes an option to purchase?                            | <u>   </u> | <u>X</u>   |

B. (1) Identify Transferor:

Town of Highland 3333 Ridge Road, Highland, Indiana 46322  
Name and Current Address of Transferor

\_\_\_\_\_  
Name and Address of Trustee Trust No.  
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:

John M. Bach, Director of Public works, 3333 Ridge Road, Highland, Indiana  
Name and Address, Position (if any) Telephone No.

C. Identify Transferee:

Indiana Department of Transportation  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2249

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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

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?

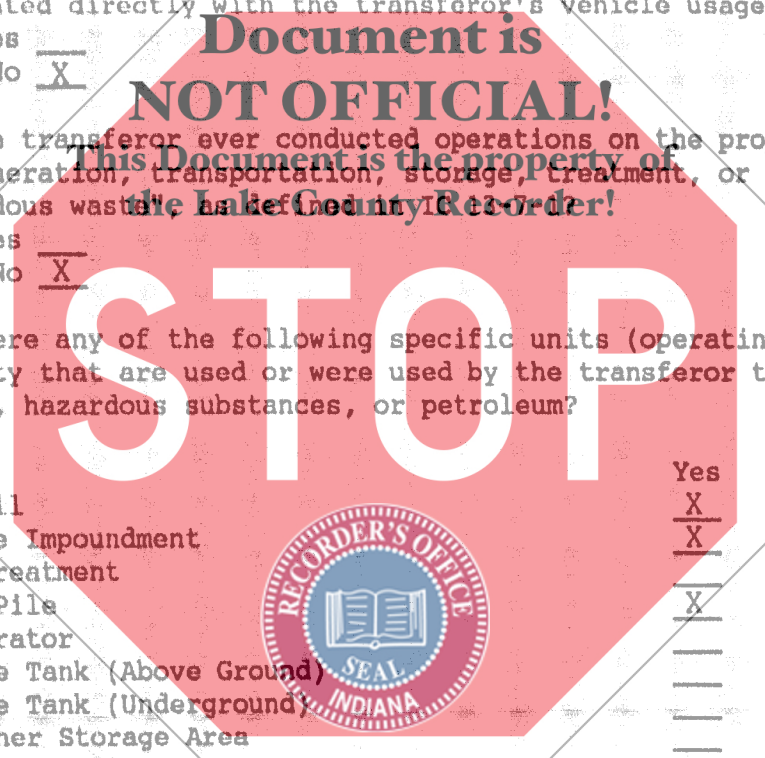
Yes   
No

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

Yes   
No

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surface Impoundment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Land Treatment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Pile	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Incinerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Container Storage Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Injection Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wastewater Treatment Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Septic Tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transfer Stations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Recycling Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Treatment Detoxification	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Land Disposal Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Yard Waste, Concrete



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?

- |  |         |          |
|--|---------|----------|
|  | Yes     | No       |
| (A) Permits for discharges of wastewater to waters of Indiana.                   | ___     | <u>X</u> |
| (B) Permits for emissions to the atmosphere.                                     | ___     | <u>X</u> |
| (C) Permits for any waste storage, waste treatment, or waste disposal operation. | Unknown | ___      |

6. Has the transferor ever discharged any wastewater (other than sewage) to a publicly owned treatment works? \_\_\_ X

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. \_\_\_ X

(B) Filed a toxic chemical release form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023). \_\_\_ X

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 \_\_\_ X

(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. \_\_\_ X

(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. \_\_\_ X

9. Environmental Releases During Transferor's Ownership.

	Yes	No
(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?	___	<u>X</u>

(B) Have any hazardous substances or petroleum which were released come into direct contact with the ground at this site? \_\_\_ X



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?

(C) Is there an environmental defect (as defined in IC 13-7-22.5-1.5) on the property that is not reported under question (A) or (B)? YES NO

If the answer is Yes, describe the environmental defect:  
the Lake County Recorder!

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10. Is the facility currently operating under a variance granted by the commissioner of the Indiana department of environmental management? Yes No

11. Has the transferor ever conducted an activity on site without obtaining a permit from the U.S. Environmental Protection Agency, the commissioner of the department of environmental management, or another administrative agency or authority with responsibility for the protection of the environment, when such a permit was required by law? YES NO

If the answer is Yes, describe the activity:

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12. Is there any explanation needed for clarification of any of the above answers or responses?  
N/A

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**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: Mercantile National Bank of Indiana, as Trustee of Trust  
Number 2801

Type of business or property usage: Unknown

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	---	---
Surface Impoundment	---	---
Land Treatment	---	---
Waste Pile	---	---
Incinerator	---	---
Storage Tank (Above Ground)	---	---
Storage Tank (Underground)	---	---
Container Storage Area	---	---
Injection Wells	---	---
Wastewater Treatment Units	---	---
Septic Tanks	---	---
Transfer Stations	---	---
Waste Recycling Operations	---	---
Waste Treatment Detoxification	---	---
Other Land Disposal Area	---	---



**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.

TRANSFEROR: Town of Highland, 3333 Ridge Road, Highland, Indiana 46322

John M. Bach  
 John M. Bach, Director of Public Works  
 Town of Highland, Indiana

B. This form was delivered to me with all elements completed on August 29 1994

TRANSFeree: Steven P. Penturf  
 Land Agent for the Indiana Department of Transportation

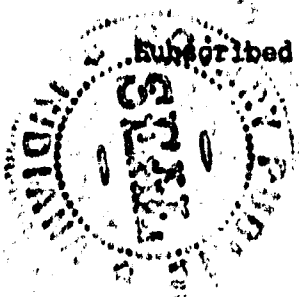
NOTARY'S CERTIFICATE

STATE OF Indiana )

COUNTY OF Lake )

SS:

Subscribed and sworn to before me this 29th day of August, 1994.



Judith A. Vaughn  
Notary Public (Signature)

Judith A. Vaughn  
Notary Public (Printed)

**Document NOT OFFICIAL!**

My Commission Expires: ~~11-04-97~~  
My County of Residence: Lake, IN  
**This Document is the property of Lake County Recorder!**

This instrument was prepared by Indiana Department of Transportation.

**STOP**



Before me, a Notary Public in and for said County and State personally appeared Steven P. Penturf, who acknowledged the truth of the statements in the foregoing affidavit on this 29th day of August, 1994.



Theodore F. Elmure  
Notary Public (Signature)

Theodore F. Elmure  
Notary Public (Printed Name)

My Commission expires December 14, 1996

My County of Residence is Heard

This instrument was prepared by This Document is the property of

State Form 37725 (R3/1-89) the Lake County Recorder!



Before me, a Notary Public in and for said County and State personally appeared \_\_\_\_\_, who acknowledged the truth of the statements in the foregoing affidavit on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.



\_\_\_\_\_  
Notary Public (Signature)

\_\_\_\_\_  
Notary Public (Printed Name)

My Commission expires \_\_\_\_\_

My County of Residence is \_\_\_\_\_

This instrument was prepared by \_\_\_\_\_

State Form 37725 (R3/1-89)



EXHIBIT "A"

Document is  
**NOT OFFICIAL!**

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the Lake County Recorder!

A part of the South Half of the Southeast Quarter of Section 15, Township 36 North, Range 9 West, Lake County, Indiana described as follows: Beginning at a point on the south line of said section North 89 degrees 05 minutes 49 seconds West 129.90 feet from the southeast corner of said section, which point is on the west boundary of S.R. 912 (Cline Avenue); thence North 89 degrees 05 minutes 49 seconds West 107.81 feet along said south line; thence North 15 degrees 11 minutes 55 seconds West 51.83 feet; thence North 1 degree 09 minutes 45 seconds West 140.00 feet; thence North 11 degrees 30 minutes 34 seconds East 24.96 feet to the south bank of the Little Calumet River; thence South 52 degrees 28 minutes 51 seconds East 1.44 feet along said south river bank; thence South 46 degrees 25 minutes 32 seconds East 151.02 feet along said south river bank; thence South 39 degrees 51 minutes 12 seconds East 80.42 feet along said south river bank to the north boundary of S.R. 912 (Cline Avenue); thence South 89 degrees 59 minutes 00 seconds West 42.95 feet along said boundary; thence South 0 degrees 01 minute 00 seconds East 49.51 feet along said boundary to the point of beginning and containing 0.467 acres, more or less.