

MUTUAL RELEASE OF AGREEMENT

THIS RELEASE is entered into by and between **EDWIN AND NANCY WAGENER, HUSBAND AND WIFE**, and **RONALD AND JOAN DECARLO, HUSBAND AND WIFE**.

WHEREAS, the parties are owners of the adjoining parcels of property as set forth on the attached "Exhibit A"; and,

WHEREAS, the parties have been bound by an **AGREEMENT** executed by their predecessors in title on the 20th day of July, 1988, said **AGREEMENT** providing as follows, to-wit:

1. Each party shall dedicate six (6) feet of their respective property bordering the others property for the purpose of a common roadway for ingress and egress to Magoun Street. The area shall be marked in yellow on the attached "Exhibit B" and shall commence at Magoun Street, 180 feet West, thence 190 feet South, thence 890 feet West.
2. The parties shall both contribute equally to the maintenance of said common roadway, and each party shall have common access to said roadway.
3. The parties further agree that they shall take immediate preparations and shall create an easement or right-of-way regarding the area described in the above paragraph, which easement and right-of-way shall run with the land and shall inure to the benefit of all future grantees of the property by way of conveyance.

WHEREAS, the parties have mutually agreed to be released from the agreement and from any easement by prescription, easement of necessity or right-of-way.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The Agreement of July 20, 1988, is no longer in force or effect.
2. Both parties shall comply with the Lake Superior Court's order of December 27, 1994, in Cause No. 45D02-9209-CP-776, which order is incorporated herein by

reference.

FILED

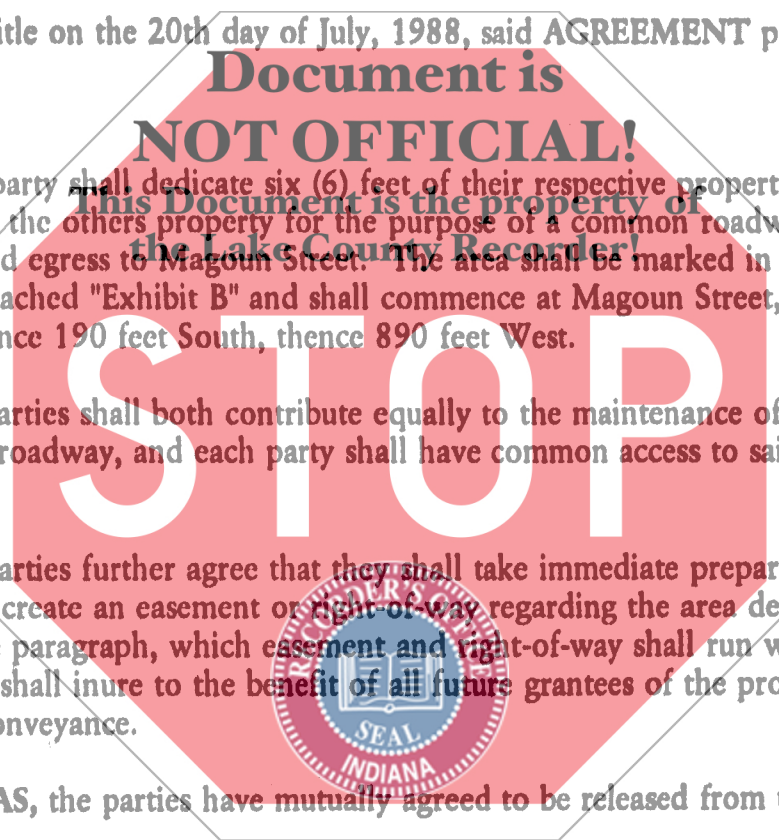
JAN 27 1995

**SAM ORLICH
AUDITOR LAKE COUNTY**

14102 Magoun
Cedar Lake In ✓
46303

001223

12.00



MARGARETTA CLEVELAND
LAKE COUNTY
95005001

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
95 JAN 30 PM 8:44

WILLIAM J. KRULL
REGISTERED ENGINEER No. 200

KRULL & SON INC.

CIVIL ENGINEERS AND SURVEYORS
ESTABLISHED 1914

315 CENTER STREET
HOBART, INDIANA 46342
OFFICE PHONE 219-947-2368

Document is
NOT OFFICIAL!
PLAT OF SURVEY

DESCRIPTION OF PROPERTY

Parcel #1 - Part of the NW $\frac{1}{4}$ Section 32, Township 34 North, Range 9 West of the 2nd P.M., Lake County, Indiana, described as:
Commencing at the Northeast corner thereof; thence South 89°35'16" West along the North line of said Section 32 a distance of 394.05 feet to the center of Magoun Street and the Point of Beginning of this described parcel; thence South 01°36'39" East, 29.53 feet; thence South 08°10'44" East, 30.83 feet to the Point of Beginning of this described parcel; thence North 89°35'16" West, 180.00 feet; thence South 00°24'44" West, 99.75 feet; thence North 89°35'16" West, 1168.70 feet more or less to the West line of said Section 32; thence North 00°32'16" East 349.75 feet to the Northwest corner of said Section 32; thence South 89°35'16" East, 2232.29 feet to the Point of Beginning, containing 14.731 acres more or less.

Parcel #2: Part of the NW $\frac{1}{4}$ Section 32, Township 34 North, Range 9 West of the 2nd P.M., in Lake County, Indiana, described as:
Commencing at the Northeast corner thereof; thence North 89°35'16" West along the North line of said Section 32 a distance of 394.05 feet to the center of Magoun Street; thence South 01°36'39" East, 29.53 feet; thence South 08°10'44" East, 30.83 feet to the Point of Beginning of this described parcel; thence North 89°35'16" West, 180.00 feet; thence South 00°24'44" West, 99.75 feet; thence North 89°35'16" West, 1168.70 feet more or less to the West line of said Section 32; thence South 00°32'16" West along the West line of said Section 32 a distance of 311.69 feet more or less to the South line of the N $\frac{1}{2}$, N $\frac{1}{2}$, NW $\frac{1}{4}$ of said Section 32; thence South 89°34'22" East along the South line of the N $\frac{1}{2}$, N $\frac{1}{2}$, NW $\frac{1}{4}$ of said Section 32 a distance of 1314.72 feet more or less to the East line of the West $\frac{1}{2}$, NW $\frac{1}{4}$ of said Section 32; thence North 00°24'12" East along said East line a distance of 104.17 feet more or less to a point 557.61 feet South of the North line of said Section 32; thence North 63°42'10" East, 192.88 feet; thence South 87°18'01" East, 661.14 feet; thence North 01°55'16" West, 378.86 feet; thence South 89°35'16" East, 129.4 feet to the center line of Magoun Street; thence North 08°10'44" West, 60.51 feet to the Point of Beginning, containing 14.731 acres more or less.

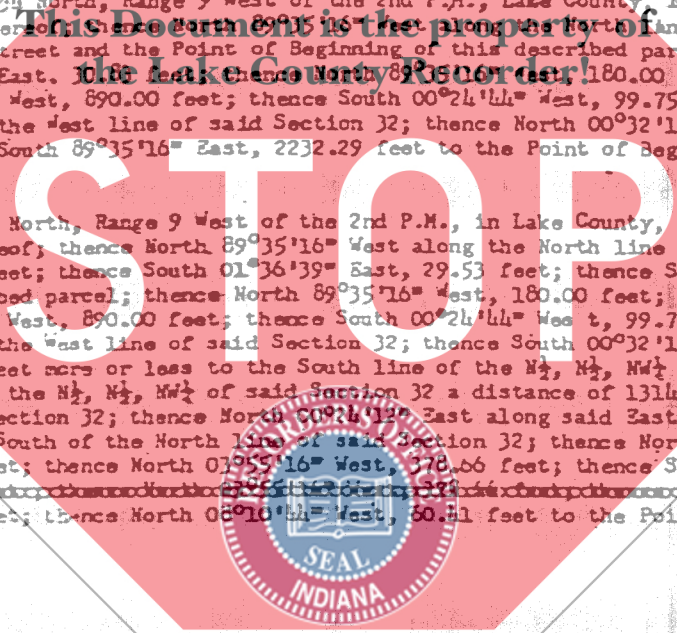
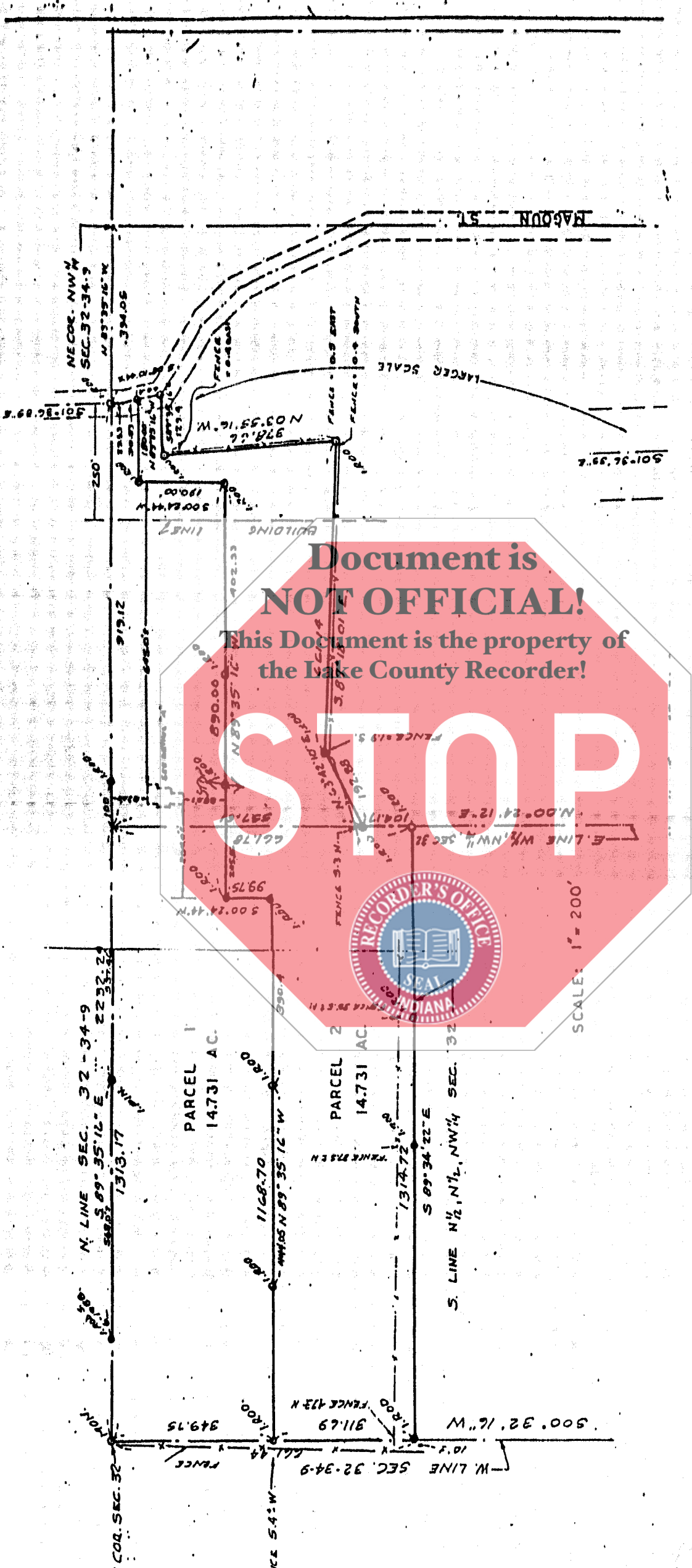


Exhibit "A"

315 CENTER STREET
HOBART, INDIANA 46342
OFFICE PHONE 219-947-2368



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STOP



SCALE: 1" = 200'

EXHIBIT "A"