

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

CONSENT TO ENCROACH

STATE OF INDIANA)
COUNTY OF Lake)

SS:

95031695

95 JUN -6 AM 9:43

HOLD FOR FIRST AMERICAN TITLE

This agreement made this 8th day of May, 1995 between Peter J. Jarosak and Theodore J. Jarosak and Crown Brick & Supply, Inc., an Indiana corporation, bears witness to an agreement this day entered into between the parties hereto, the terms and conditions of which are as follows:

1. The First Party is the owner of the following described real estate: "See Attached Legal Description" File# FA14828

EXHIBIT "A"

FILED

2. The Second Party is the owner of the following described real estate: "See Attached Legal Description"

JUN 6 1995

NOT OFFICIAL!

EXHIBIT "B"

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SAM ORLICH
AUDITOR LAKE COUNTY

3. The parties hereto now agree in consideration of the covenants and agreements herein contained, that the building encroachment located on Second Parties' land adjoining First Parties' land which through inadvertence encroaches upon First Parties' land approximately 1.2 feet as shown on a survey by Davis & Associates dated April 28th, 1993, (attached hereto) shall be deemed to be with the express license and consent of First Party, to the extent that Second Party shall not acquire any easement or right in respect thereof.

4. Each party hereto shall make reasonable use of their respective improvements and bear as their separate costs all expense for repair and maintenance thereof.

5. The covenants herein contained shall run with the land as long as the improvements aforesaid shall be located upon the real estate.

IN WITNESS WHEREOF, First and Second Parties have hereunto set their hands and seals this day and year above written.



Second Party
~~XXXXXX~~

First Party: Crown Brick & Supply, Inc.,
~~XXXXXXXX~~

BY: *[Signature]*

BY: *[Signature]*

BY: *[Signature]*

BY: *[Signature]*
[Signature]
[Signature]
[Signature]

000316

[Handwritten initials]

ACKNOWLEDGMENT

STATE OF INDIANA }
COUNTY OF Lake } SS:

Before me, a Notary Public in and for said County and State, personally appeared Peter J. Jarosak and Theodore J. Jarosak Jr. who acknowledged the execution of the foregoing Consent to Encroach, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 7th day of May, 1995.

* Signature

[Handwritten signature]

* Signature

Printed

[Handwritten signature]
THEODORE J. JAROSAK JR.
Notary Public

Residing in

[Handwritten signature]
WILLIAM H. SCHUCK
County, Indiana

My commission expires

August 16, 1996

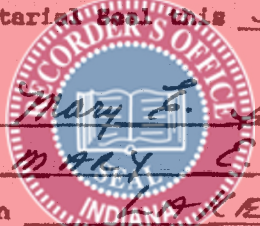
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STATE OF INDIANA }
COUNTY OF LAKE } SS:

Before me, a Notary Public in and for said County and State, personally appeared Martin Beenes, John O. DeYoung, Sharon Perkins, Lee W. Perkins, Danny Martin who acknowledged the execution of the foregoing Consent to Encroach, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 31st day of May, 1995.

Signature



[Handwritten signature]
MARY E. SMITH

Printed

MARY E. SMITH

Notary Public

Residing in

LAKE

County, Indiana

My commission expires

NOTARY PUBLIC STATE OF INDIANA LAKE COUNTY MY COMMISSION EXP NOV 9, 1996

This instrument prepared by Theodore Jarosak Jr.

Return Document to _____

Grantees Post Office Address: _____

190045-2 12/17/1998

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OR INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND MAY ONLY BE DONE BY A LAWYER.

Mail box 686 801 John & Janet Curley, 820 Thomas St., Crown Point, IN 46307 Tax Key No. 21423 9-226-3, 17, 30, 31, 45

WARRANTY DEED

This indenture witnesseth that **JOHN B. CURLEY/and JANET S. CURLEY, aka JOHN CURLEY, aka JANET CURLEY, Husband and Wife**

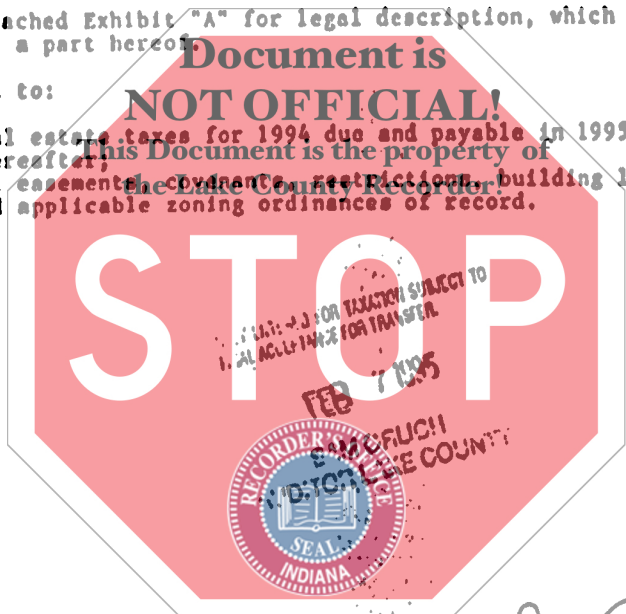
of Lake County in the State of Indiana

Convey and warrant to **CROWN BRICK & SUPPLY, INC., an Indiana corporation**

of Lake County in the State of Indiana
for and in consideration of Ten dollars and other good and valuable consideration the receipt whereof is hereby acknowledged, the following Real Estate in Lake County
in the State of Indiana, to wit:

See attached Exhibit "A" for legal description, which Exhibit is made a part hereof.

- Subject to:
1. Real estate taxes for 1994 due and payable in 1995 and thereafter;
 2. All easements, covenants, restrictions, building lines and applicable zoning ordinances of record.



ARGARETTE K CLEVELAND
LAKE COUNTY RECORDER
95007138

STATE OF INDIANA
LAKE COUNTY
FILED
95 FEB -8 AM 02

State of Indiana, Lake County, ss: Dated this 21st day of January, 1995

Before me, the undersigned, a Notary Public in and for said County and State, this 31st day of January, 1995

personally appeared: John B. Curley/and Janet S. Curley, aka John Curley, aka Janet Curley, husband and wife

John B. Curley John B. Curley aka John Curley aka Janet Curley aka Janet Curley

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires 10-20, 1996

Nick Katich Notary Public

Resident of Lake County.

This instrument prepared by Nick Katich, Attorney at Law, 300 E. 90th Drive, Merrillville, Indiana 46410 000318 Attorney at Law

LEGAL DESCRIPTION

PARCEL 1. Part of the Southeast Quarter of Section 5, Township 34 North, Range 8 West of the 2nd Principal Meridian, in the City of Crown Point, Lake County, Indiana, more particularly described as follows: Beginning at the intersection of the Southerly line of lands of Erie Railroad Company with the Easterly line of Thomas Street (63 feet wide), distant 125 feet Southwesterly by radial measurement from the original center line of Erie Railroad; thence

(1) Northwardly along said Easterly line of Thomas Street 90 feet, more or less, to a point distance 49.50 feet Southwesterly by radial measurement from said original center line of railroad; thence

(2) Southeastwardly concentric with and 49.50 feet Southwesterly by radial measurement from said original center line of railroad, 416 feet, more or less, thence

(3) Southwestwardly 75.50 feet to a point in said Southerly line of lands of Erie Railroad Company distance 375.00 feet, more or less, as measured Southeastwardly along said Southerly line from said Easterly line of Thomas Street, and being also distant 125.00 feet Southwesterly by radial measurement from said original center line of railroad; thence

(4) Northwestwardly and along said Southerly line of lands of Erie Railroad Company, 375 feet, more or less, to the point of place of beginning, and being part of the first of two areas of land and premises described in and conveyed by those two certain deeds, to-wit: Deed dated January 5, 1892, from David Turner and Carolina Turner, his wife, to Chicago and Atlantic Railway Company, recorded in Deed Record 32 page 262, in Lake County, Indiana, and Deed dated February 7, 1893, from J. Condit Smith, widower, to Chicago and Atlantic Railway Company, recorded in Deed Record 34 page 358, in Lake County, Indiana. Also the Southerly 1/2 of the now abandoned railroad right of way of the Chicago and Erie Railroad lying North and adjoining the above described tract.

PARCEL 2. Part of the Northeast 1/4 of the Southeast 1/4 of Section 5, Township 34 North, Range 8 West of the 2nd Principal Meridian, described as: Commencing at the point of intersection of the East line of Thomas Street and the centerline of Monitor Street (63.0 feet wide); thence North 00 degrees 46 minutes 00 seconds West, along the East line of Thomas Street, 823.96 feet; thence South 80 degrees 38 minutes 30 seconds East, 236.66 feet, more or less, to the Northwestwardly side of a 155.75 X 181.30 X 82.5 foot triangular tract of land, and the point of beginning; thence North 80 degrees 38 minutes 30 seconds West, 149.5 feet; thence North 01 degrees 21 minutes 30 seconds East, 87.76 feet to the Southwesterly right-of-way line of the Erie Railroad; thence Southeasterly along said right-of-way line, 172.40 feet to the Northwestwardly corner of said triangular tract of land; thence South 17 degrees 58 minutes 58 seconds West, along the Westerly line of said triangular tract of land, 4.28 feet, to the point of beginning, in the City of Crown Point, Lake County, Indiana.

PARCEL 3. Part of the Southeast 1/4 of Section 5, Township 34 North,

Commitment No. CO 190045-0002

LEGAL DESCRIPTION
(continued)

Range 8 West of the 2nd Principal Meridian, in the City of Crown Point, Lake County, Indiana, described as follows: Beginning at the intersection of the North line of Foote Street and the Southerly property line of the Erie Lackawanna Railway Company (as located on December 4, 1900), said Southerly property line being a line concentric to and 125 feet Southwesterly by radial measurement of the monumented base line of the Erie Lackawanna Railway Company; thence Northwesterly, along said Southerly property line, to the Southermost corner of a tract of land conveyed by Erie Railroad Company to Henderlong Lumber Company, Inc., by a deed dated March 21, 1915 and recorded June 5, 1947 in Deed Record 783 page 66; thence Northeasterly along the Easterly line of said tract conveyed to Henderlong Lumber Company, Inc., to a point on a line which is 49.8 feet Southwesterly by a radial measurement of the monumented base line of the Erie Lackawanna Railway Company; thence Southeasterly of a curve to the left which is concentric to said monumented base line, to a point on the West line of Thomas Street as now established; thence South, along said West line to the North line of Foote Street; thence West, along the North line of Foote Street, to the point of beginning, including therein part of Block 1 in Rolling View Addition to Crown Point and part of Summit Street and of the alley in said Block 1.

PARCEL 4: Part of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 5, Township 34 North, Range 8 West of the Second Principal Meridian, described as commencing at a point on the North line of said Southeast 1/4 which is 500 feet West of the Northeast corner thereof and running thence South parallel to the East line of said Section 193.4 feet to the Northerly right of way line of the Chicago and Erie Railroad, thence Northwesterly along said Northerly right of way line 193.4 feet, more or less to the West line of said tract, thence North on said West line 62.9 feet to the North line of said Southeast 1/4; thence East on said North line 187.2 feet to the place of beginning, in the City of Crown Point, Indiana.

PARCEL 5: Part of the Northeast 1/4 of the Southeast 1/4 of Section 5, Township 34 North, Range 8 West of the 2nd Principal Meridian, described as commencing at a point on the North line of said Southeast 1/4 and 500 feet West of the Northeast corner thereof; thence South parallel to the East line of said Section 5 a distance of 192.19 feet more or less to the Northerly right-of-way line of the Chicago and Erie Railroad and the point of beginning of this described parcel; thence continuing South parallel to the East line of said Section 5 a distance of 89.73 feet more or less to the original center line of said railroad; thence Northwesterly along said original center line 153.13 feet to the East line of Thomas Street (North part of Railroad right-of-way); thence North along said East line of Thomas Street, 93.29 feet to the North line of said railroad right-of-way; thence Southeasterly along said North line 152.40

(continued)

Commitment No. CO 190045-0002

LEGAL DESCRIPTION
(continued)

feet more or less to the point of beginning.

PARCEL 61. Part of the Northeast 1/4 Southeast 1/4 of Section 5, Township 34 North, Range 8 West of the 2nd Principal Meridian, described as beginning at the intersection of the West line of Thomas Street (63 feet wide South of the Erie Railroad) with a line 49.5 feet Southwesterly by radial measurement from the original center line of the Erie Lackewanna Railroad Co.; thence Northwesterly on a curve to the right which is concentric to said original center line 332.21 feet; thence North 08 degrees 26 minutes 39 seconds East 60.27 feet more or less to the original center line of said railroad; thence Southeasterly along said original line, 332.52 feet more or less to the West line of Thomas Street; thence South 00 degrees 37 minutes 21 seconds East, 63.37 feet to the point of beginning.

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END OF SCHEDULE A

STOP



