

Mail tax bills to:

City of Hobart  
Clerk-Treasurer  
414 Main Street  
Hobart, Indiana 46342

Mail this instrument to:

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414 Main Street  
Hobart, Indiana 46342

FEB 21 1996

SAM ORLICH  
**WARRANTY DEED**

THIS INDENTURE WITNESSETH that **HOBART INDUSTRIAL ECONOMIC DEVELOPMENT CORPORATION**, an Indiana not-for-profit corporation of Lake County in the State of Indiana ("Grantor") conveys and warrants to **CITY OF HOBART**, a municipal corporation, of Lake County in the State of Indiana ("Grantee") entirely as a gift, without consideration, the following real estate in Lake County, State of Indiana, to wit:

**SPLIT 53-4-7**

Part of the Southeast 1/4 of Section 18, Township 35 North, Range 7 West of the second P.M., in Lake County Indiana, described as: Commencing at the intersection of the East line of said Section 18 with the center line of Old Lincoln Highway; thence North 59 degrees, 42 minutes, 45 seconds West along said center line, 748.92 feet; thence South 30 degrees, 17 minutes, 15 seconds West 257.64 feet to the point of beginning of this described parcel; thence North 59 degrees, 42 minutes, 45 seconds West, 340.00 feet; thence North 30 degrees, 17 minutes, 15 seconds East 257.64 feet to the center line of Old Lincoln Highway; thence North 59 degrees, 42 minutes, 45 seconds West along the center line of said Highway 904.56 feet, more or less, to the East line of the West 55 rods and 6 feet of the Southeast 1/4 of section 18; thence South 00 degrees, 18 minutes, 30 seconds West along the East line of said West 55 rods and 6 feet a distance of 2127.16 feet more or less to the South line of said Section 18; thence South 89 degrees, 4 minutes, 15 seconds East along said South line, 987.56 feet more or less to a point 745.5 feet West of the Southeast corner of said Section 18; thence north 00 degrees, 00 minutes, 00 seconds, East parallel to the East line of said Section 18 a distance of 1274.74 feet, more or less to a point 257.64 feet South 30 degrees, 17 minutes, 15 seconds West of the center line of Old Lincoln Highway; thence North 59 degrees, 42 minutes, 45 seconds West, 36.17 feet more or less to the point of beginning, containing 39.954 acres more or less.

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This conveyance is subject to easements or claims of easements not shown by the public record, liens, easements and restrictions of record, taxes for the year 1995 and subsequent years, rights or claims of parties in possession, boundary line disputes, overlaps, encroachments and any matters not shown by the public record which would be disclosed by an accurate survey and inspection of the land described above.

**COVENANT CREATING CONDITION SUBSEQUENT**

Hobart Industrial Economic Development Corporation ("HIEDC"), Grantor, hereby establishes and declares the following conditions subsequent to this conveyance ("conveyance") to run with the land:

1. On or before June 15, 1996 the City of Hobart must construct a recreational public park occupying the entire parcel described above and containing substantially all of the improvements listed and described upon the document and site plan which are attached hereto and made a part hereof as Exhibit "A."
2. On or before December 31, 2000, the City of Hobart shall construct upon said parcel improvements in addition to those provided for in paragraph (1) above, with a total minimum expenditure of local, state or federal funds in the sum of not less than One Hundred Thousand and no/100 dollars (\$100,000.00) exclusive of donated money, materials or labor. All such improvements shall be subject to prior approval of the City of Hobart Board of Parks and Recreation and of HIEDC which approvals shall not be unreasonably withheld.
3. The "name" of the park, from and after its dedication, shall be known and displayed as: "VETERAN'S MEMORIAL PARK--Land Donated by the Rees Family."
4. In the event of non-performance or breach of any one or more than one of the conditions subsequent stated above, the Grantor may, at its sole option:

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MARGARET J. ...  
RECORDER

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(a) claim a forfeiture and divestiture of title and retake possession of the land holding same free of any right of the Grantee therein; or

(b) obtain by appropriate action in any court of competent jurisdiction the specific performance of said conditions or damages for the breach.

The conditions stated above shall be binding upon and effective against the Grantee who accepts delivery of this deed, and any purchaser, assignee or grantee of the Grantee.

The undersigned persons executing this deed on behalf of the Grantor represent and certify that they are duly elected officers of the Grantor and have been fully empowered, by proper resolution of the Board of Directors of the Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

Dated this 6 day of Dec, 1995

HOBART INDUSTRIAL ECONOMIC DEVELOPMENT CORPORATION,  
an Indiana not-for-profit Corporation

(SEAL)

ATTEST:

By: P. G. Romanchek  
Patrick G. Romanchek, President

By: Glenn E. Main  
Glenn E. Main, Secretary

State of Indiana )  
                          ) ss:  
Lake County      )

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this 6<sup>TH</sup> day of DECEMBER, 1995, personally appeared PATRICK G. ROMANCHEK and GLENN E. MAIN, the President and Secretary, respectively, of HOBART INDUSTRIAL ECONOMIC DEVELOPMENT CORPORATION, who acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations contained therein are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal. My commission expires FEBRUARY 17, 1997. County of Residence: LAKE.

(seal)

Anthony DeBonis, Jr.  
Notary Public

Name printed: ANTHONY DEBONIS, JR.

This instrument prepared by Anthony DeBonis, Jr., Attorney at Law, 4320 Fir Street, Suite 411, East Chicago, Indiana 46312.

**EXHIBIT "A" TO WARRANTY DEED OF HOBART INDUSTRIAL ECONOMIC  
DEVELOPMENT CORPORATION TO CITY OF HOBART, INDIANA**

**List of Items to be Constructed Pursuant to Paragraph (1)  
of Covenant Creating Conditions Subsequent**

**PICNIC SHELTERS**

1. 2 concrete slabs and foundations, complete in place
2. 300 square feet of concrete sidewalk from parking area to Shelter No. 1, complete in place
3. Erect 2 metal picnic shelters, in accordance with manufacturer recommendations, complete in place
4. Paint steel structure members
5. Grading and seeding adjacent areas disturbed during construction of above (4) items

**GRADING AND SEEDING**

27.00 acres of site grading and seeding

**ROADS AND TRAILS**

1. 2387 square yards of entrance road and end loop (8" base, 2" binder, 1" surface)
2. 607 square yards of parking area (3 lots of 9 spaces, one including 2 handicap spaces), (8" base, 2" binder, 1" surface)
3. 75 linear feet of 24" corrugated metal pipe culvert
4. Clear and grub 120 linear feet of tree line adjacent to entrance road
5. 800 linear feet of grading side swale
6. Grading and seeding adjacent areas disturbed during construction of entrance road, trails and concourse
7. 1205 linear feet of 5' wide walking trails, (6" base, 2" surface)
8. 200 linear feet of 25' wide concourse, (6" base, 2" surface)
9. Soil erosion control measures
10. 1028 square yards of branch road and end loop, (8" base, 2" binder, 1" surface)
11. 50 linear feet of 15" PVC culvert pipe
12. 330 linear feet of grading side swale
13. Grading and seeding adjacent areas disturbed during construction of branch road
14. Soil erosion control measures

