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R-65901
5155

PARTY WALL AGREEMENT

Chicago Title Insurance Company

Whereas, the undersigned, Mercantile National Bank of Indiana, a National Banking Association, as Trustee under the Terms and Provisions of a Trust Agreement dated the 20th day of March, 1987, and known as Trust No. 2195, and Raymond and Mary Lou Ziel, are present title holders of the following described real estate, upon which there has been erected a duplex residence:

See attached legal description

Whereas it is the intention of the undersigned that in the event of sale of transfer of either or both of said residences, that said dividing wall shall remain in the same condition for the use of any and all subsequent purchases:

Now, therefore, for the purpose of declaring their intentions, the undersigned hereby state:

1. Said dividing wall shall be a party wall for said real estate so long as both of said residences as now constructed shall not be materially altered or changed.
2. No persons shall have the right to add or to detract from the party wall in any manner whatsoever, it being the intention that the party wall shall at all times remain in the same position as when it was erected.
3. If it shall become necessary to repair the party wall, the expense of rebuilding the same shall be borne by the then owners of the fee, in equal portions, and whenever the party wall or any portion thereof, shall be rebuilt, it shall be erected on the same place where it stands and be of the same size as when originally erected.
4. This declaration shall at all times be construed as a covenant running with the land.
5. This declaration shall be binding upon the undersigned, their successors, assigns and grantees.

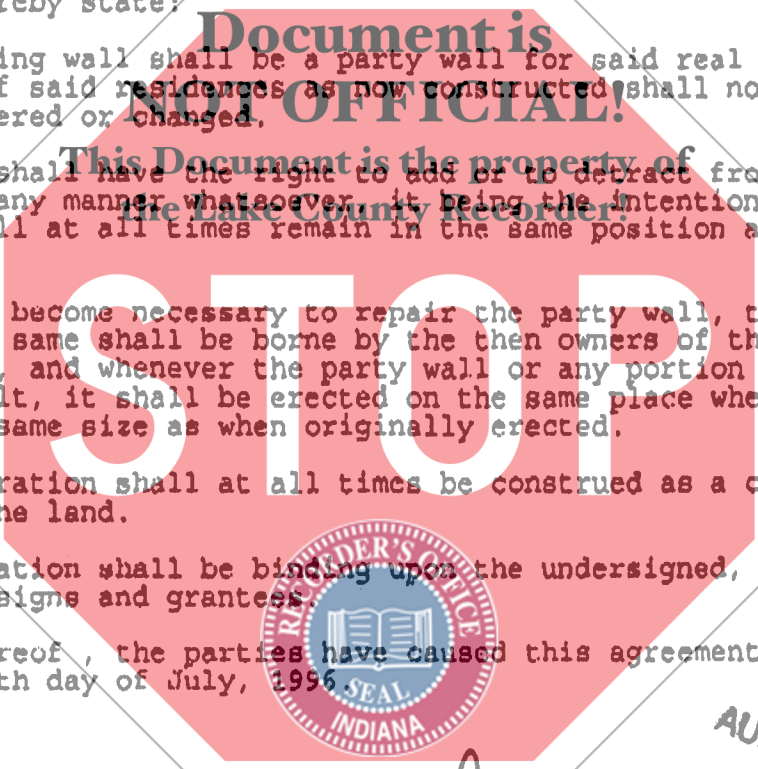
In witness whereof, the parties have caused this agreement to be signed this 12th day of July, 1996.

SEE SIGNATURE PAGE ATTACHED

Mercantile National Bank of Indiana a National Banking Association as Trustee under the Terms and Provisions of a Trust Agreement dated the 20th day of March, 1987 and known as Trust No. 2195.

Raymond Ziel
Raymond Ziel

Mary Lou Ziel
Mary Lou Ziel



96067264

96 OCT - 14 10 1996

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

MARGARET J. LEWIS
RECORDER

SAM ORLICH
AUDITOR LAKE COUNTY

CTIC Has made an accomodation recording of the instrument. We Have made no examination of the instrument or the land affected.

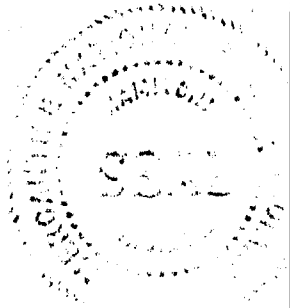
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001735

THIS PARTY WALL AGREEMENT, is executed by the undersigned Trustee, not personally, but solely as Trustee under the terms of that certain agreement dated the 20th day of March, 1957, creating Trust #2195; and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding that each and all of the covenants, undertakings, representations, agreements, and liabilities, herein made are made and intend, not as personal covenants, undertakings, representations, agreements, and liabilities, of the Trustee, individually, or for the purpose of binding it personally, but this instrument is executed and delivered by the **MERCANTILE NATIONAL BANK OF INDIANA, AS TRUSTEE**, solely in the exercise of the powers conferred upon it as such Trustee under said agreement and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforced against **MERCANTILE NATIONAL BANK OF INDIANA**, on account hereof, or on account of any covenant, undertaking, representation or agreement herein, either expressed or implied, all such personal liability, if any, being expressly waived and released by the parties hereto or holder hereof, and by all persons claiming by or through or under said parties or holder hereof.

Nothing contained herein shall be construed as creating any liability upon **MERCANTILE NATIONAL BANK OF INDIANA**, personally under the provisions of the Comprehensive Environmental Response, **COMPENSATION and Liability Act (CERCLA)** or the **Indiana Responsible Property Transfer Law (the Act)** as amended from time to time or any other Federal, State, or local law, rule or regulation. **MERCANTILE NATIONAL BANK OF INDIANA**, personally is not a "Transferor or Transferee" under the Act and makes no representations concerning any possible environmental defects. In making any warranty herein the Trustee is relying solely on information furnished to it by the beneficiaries and not of its own knowledge and specifically exculpates itself from any liabilities, responsibilities or damages as a result of including any warranty in this instrument.

Furthermore, the information contained in this instrument has been furnished the undersigned by the beneficiary/beneficiaries under aforesaid Trust and the statements made therein are made solely in reliance thereon and no responsibility is assumed by the undersigned in its individual capacity for the truth or accuracy of the facts herein stated.

IN WITNESS WHEREOF, said **MERCANTILE NATIONAL BANK OF INDIANA**, has caused its name to be signed to these presents by a Land Trust Administrator and its corporate seal hereunto affixed and attested by its Trust Officer the day and year first above written.



ATTEST:

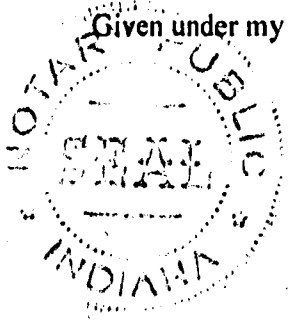
Mary Ann Grzybowski
Mary Ann Grzybowski, Trust Officer



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

I, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Kathy Applegate, Land Trust Administrator and Mary Ann Grzybowski, Trust Officer of the Mercantile National Bank of Indiana, a National Banking Association, personally known to be the same persons whose names are subscribed to the foregoing instrument as such Land Trust Administrator and Trust Officer respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary act of said National Banking Association, as Trustee, for the uses and purposes therein set forth; and the Mary Ann Grzybowski did also then and there acknowledge that she, as custodian of the corporate seal of said National Banking Association, did affix the said corporate seal of said National Banking Association to said instrument as his own free and voluntary act, and as the free and voluntary act of said National Banking Association, as Trustee, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 12th day July of 1996.



Janett L. Gibson
Notary Public My Commission Expires
April 29, 2000
Residence: LAKE COUNTY

The East 25.00 feet, by parallel lines, of Lot 39 and the West 17.63 feet, by parallel lines, of Lot 40, Block 2, Woodland Estates 5th Addition to the Town of Griffith, as recorded in Plat Book 64, page 56, in the Office of the Recorder of Lake County, Indiana.

COMMONLY KNOWN AS: 1813 ASH STREET GRIFFITH INDIANA 46319

This Document is the property of
the Lake County Recorder!

STOP

